

By Mr. WEBSTER: A bill (H. R. 11885) authorizing the issuance of patent to the Pioneer Educational Society and its successors for certain lands in the diminished Colville Indian Reservation, State of Washington; to the Committee on Indian Affairs.

### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5868. By the SPEAKER (by request): Resolution adopted by the Cleveland Grays, urging the passage of House bill 11066, for the establishment, maintenance, and organization of a naval reserve; to the Committee on Naval Affairs.

5869. By Mr. DOWELL: Resolution adopted by the Presbytery of Indianola, Iowa, indorsing House Joint Resolution 131; to the Committee on the Judiciary.

5870. Also, resolution adopted by the Presbytery of Indianola, Iowa, indorsing Senate Joint Resolution 31; to the Committee on the Judiciary.

5871. Also, resolution adopted by the Presbytery of Indianola, Iowa, indorsing House bill 9753; to the Committee on the District of Columbia.

5872. By Mr. FROTHINGHAM: Resolution from the Sole Fasteners' Local, No. 111, Boot and Shoe Workers' Union, Brockton, Mass., asking that the Government of the United States recognize the present government of Russia, and establish trade relations therewith; to the Committee on Foreign Affairs.

5873. By Mr. GALLIVAN: Resolution adopted by the Boston Central Labor Union, Boston, Mass., urging an amendment to the Constitution of the United States granting to Congress the power to enact legislation to make uniform in the United States a child-labor law; to the Committee on the Judiciary.

5874. By Mr. GREENE of Vermont: Petition of Vermont State Baptist Convention indorsing House bill 9753, to secure Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

5875. Also petition of Vermont State Baptist Convention, indorsing Senate Joint Resolution 31, proposing a constitutional amendment authorizing Congress to enact uniform laws on the subject of marriage and divorce; to the Committee on the Judiciary.

5876. Also, petition of Vermont State Baptist Convention, indorsing House Joint Resolution 131, proposing a constitutional amendment prohibiting polygamy and polygamous cohabitation in the United States; to the Committee on the Judiciary.

5877. By Mr. KISSEL: Petition of National Committee on American Japanese Relations, New York City, N. Y., as affected by the Washington conference; to the Committee on Foreign Affairs.

5878. Also, petition of the American Cotton Oil Co., New York City, N. Y., relative to the proposed duty on oriental vegetable oils; to the Committee on Ways and Means.

5879. By Mr. RAKER: Petition of Commercial Standards Council of New York, N. Y., indorsing and urging the passage of House bill 10159, to prohibit bribery and other corrupt trade practices; to the Committee on the Judiciary.

5880. Also, petition of the Pennzoil Co., of Los Angeles, Calif., protesting against any changes in the transportation act of 1920, as proposed by Senate bill 1150 and House bill 6861; to the Committee on Interstate and Foreign Commerce.

### SENATE.

SATURDAY, June 3, 1922.

(Legislative day of Thursday, April 20, 1922.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The VICE PRESIDENT. What is the pleasure of the Senate? Mr. UNDERWOOD. I presume the Senator from North Dakota [Mr. McCUMBER] desires to take up the tariff bill, and after it is laid before the Senate I shall suggest that we have a quorum.

Mr. SMOOT. The pending question is on the brick paragraph.

Mr. UNDERWOOD. But the bill was laid aside—

Mr. McCUMBER. Temporarily.

Mr. UNDERWOOD. Yes; and it has to be laid before the Senate.

Mr. McCUMBER. I ask that the bill be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The READING CLERK. The bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes.

Mr. UNDERWOOD. Mr. President, I think we had better let the absent Senators know that the tariff bill is before the Senate again. So I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Gooding	McNary	Sheppard
Borah	Hale	Moses	Simmons
Brandeggee	Harris	Myers	Smith
Bursum	Harrison	Nelson	Smoot
Calder	Heflin	New	Spencer
Cameron	Johnson	Newberry	Stanley
Capper	Jones, Wash.	Nicholson	Sterling
Colt	Kellogg	Oddie	Townsend
Culberson	Ladd	Page	Underwood
Curtis	La Follette	Pepper	Wadsworth
Dial	Lenroot	Phipps	Walsh, Mont.
Dillingham	Lodge	Polindexter	Watson, Ga.
Ernst	McCumber	Pomerene	Watson, Ind.
France	McKinley	Rawson	Williams
Gerry	McLean	Robinson	Willis

Mr. UNDERWOOD. I was requested by the senior Senator from Florida [Mr. FLETCHER] to announce that he is unavoidably absent to-day on account of illness. I desire to have the announcement stand for the day.

Mr. McKINLEY. I was requested to announce that the Senator from Nebraska [Mr. NORRIS], the Senator from New Hampshire [Mr. KEYES], and the Senator from Wyoming [Mr. KENDRICK] are absent at a meeting of the Committee on Agriculture and Forestry.

The VICE PRESIDENT. Sixty Senators have answered to their names. A quorum is present.

### PETITIONS AND MEMORIALS.

Mr. CALDER. Mr. President, I am in receipt of certain resolutions adopted by the Central Republican Club, of New York City, calling the attention of the Senate to the failure of the Senate to enact the Dyer antilynching bill. The resolutions are signed by President Arthur B. Murtha and by Executive Member David B. Costuma. I move that the resolutions be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. CAPPER presented a resolution adopted by the Grade Teachers' Club, of Kansas City, Kans., favoring the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. RANDELL. I present a resolution adopted by the Grand Chapter, Order Eastern Star, of Louisiana, dated May 11, of this year, memorializing Congress to pass promptly the Towner-Sterling educational bill. The resolution is very brief, and I ask unanimous consent that it may be printed in the RECORD and referred to the Committee on Education and Labor.

There being no objection, the resolution was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

ORDER OF THE EASTERN STAR, GRAND CHAPTER OF LOUISIANA,  
New Orleans, La.

Resolutions adopted by Grand Chapter, Order of the Eastern Star, of Louisiana, May 11, 1922.

Whereas the safety of our country depends upon an intelligent electorate; and

Whereas our public schools are the foundation stone of our educational system; and

Whereas there is pending before the Congress of the United States what is called the Towner-Sterling bill in the interest of the public-school system of the country; and

Whereas the passage of the Towner-Sterling bill would be to the best interests of our beloved land: Therefore be it

Resolved, That the Grand Chapter of the Order of the Eastern Star of Louisiana, in annual convention assembled, do hereby strongly indorse the Towner-Sterling bill and urge that the Senators and Congressmen of Louisiana exert every effort for its passage at an early date; be it further

Resolved, That a copy of this resolution be forwarded to each United States Senator and Congressman from Louisiana, chairman of the Committee on Education of the House of Representatives and Senate at Washington, and to Congressman TOWNER and Senator STERLING.

Mr. BROUSSARD presented the following letter with an accompanying resolution, which were referred to the Committee on Education and Labor and ordered to be printed in the RECORD:

ORDER OF THE EASTERN STAR, GRAND CHAPTER OF LOUISIANA,  
New Orleans, La., May 28, 1922.

Senator EDWIN S. BROUSSARD,  
United States Senate, Washington.

MY DEAR SENATOR BROUSSARD: In keeping with instructions, I am inclosing herewith copy of resolution adopted at our recent meeting of the Grand Chapter, Order of the Eastern Star, at Lake Charles, with request that you introduce same in the CONGRESSIONAL RECORD.

Assuring you of our appreciation of any consideration you may give this matter, I am,

Yours very truly,

F. B. NELKEN, Grand Secretary.

ORDER OF THE EASTERN STAR, GRAND CHAPTER OF LOUISIANA,  
New Orleans, La.

Resolutions adopted by Grand Chapter, Order of the Eastern Star, of Louisiana.

Whereas the safety of our country depends upon an intelligent electorate; and

Whereas our public schools are the foundation stone of our educational system; and

Whereas there is pending before the Congress of the United States what is called the Towner-Sterling bill in the interest of the public-school system of the country; and

Whereas the passage of the Towner-Sterling bill would be to the best interests of our beloved land: Therefore be it

*Resolved*, That the Grand Chapter of the Order of the Eastern Star of Louisiana in annual convention assembled do hereby strongly indorse the Towner-Sterling bill and urge that the Senators and Congressmen of Louisiana exert every effort for its passage at an early date; and be it further

*Resolved*, That copy of this resolution be forwarded to each United States Senator and Congressman from Louisiana, chairman of the Committee on Education of the House of Representatives and Senate at Washington, and to Congressman TOWNER and Senator STERLING.

REPORTS OF COMMITTEES.

Mr. SPENCER, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 463) for the relief of Charles Hurst (Rept. No. 740); and

A bill (S. 3118) for the relief of Herbert E. Mellstrup (Rept. No. 741).

Mr. SPENCER, from the Committee on Claims, to which was referred the bill (H. R. 5918) for the relief of the Michigan Boulevard Building Co., reported it with an amendment and submitted a report (No. 742) thereon.

He also, from the same committee, to which was referred the bill (H. R. 5349) to amend the act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels, reported it with amendments and submitted a report (No. 743) thereon.

Mr. SPENCER. In behalf of the Senator from Oklahoma [Mr. HARRELD] and in his name, I report back favorably without amendment from the Committee on Claims the bill (S. 3413) for the relief of the city of New York, and I submit a report (No. 744) thereon.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (S. 2294) to confer jurisdiction upon the Court of Claims to ascertain the cost to the Alaska Commercial Co., a corporation, and the amount expended by it from November 5, 1920, to April 18, 1921, in repairing and rebuilding the wharf belonging to said company at Dutch Harbor, Alaska, which wharf was damaged and partially destroyed on or about November 5, 1920, through collision therewith of the United States steamship *Saturn*, United States Navy, and to render judgment therefor, reported it with amendments and submitted a report (No. 745) thereon.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (S. 3630) to amend an act entitled "An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," approved June 4, 1920, reported it without amendment and submitted a report (No. 746) thereon.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which were referred the following resolutions, reported them each without amendment:

A resolution (S. Res. 294) amending Senate Resolution 282, directing the Secretary of the Interior to send to the Senate certain detailed information as to oil leases made by the department within naval oil reserves Nos. 1 and 2 in California and No. 3 in Wyoming, agreed to April 29, 1922; and

A resolution (S. Res. 295) amending Senate Resolution 292, directing the Committee on Manufactures to investigate and report to the Senate the conditions of the crude-oil and gasoline markets during the years 1920, 1921, and to date in 1922, agreed to April 20 (calendar day, May 13), 1922.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 3674) authorizing the use of special canceling stamp in the post office at Cuero, Tex.; to the Committee on Post Offices and Post Roads.

By Mr. SPENCER:

A bill (S. 3675) granting the consent of Congress to the county courts of Howard and Saline Counties, in the State of Missouri, to construct a bridge across the Missouri River; to the Committee on Commerce.

ADDITIONAL SENATE EMPLOYEES.

Mr. FRANCE submitted the following resolution (S. Res. 299), which was read:

*Resolved*, That the Sergeant at Arms be, and he is hereby, authorized to employ such additional pages, doorkeepers, and attendants as he may deem necessary to relieve the present employees from excessive duties because of long hours due to night sessions and that the said additional employees be paid out of the contingent fund of the Senate.

Mr. FRANCE. If there is no objection, I should like to ask for the immediate consideration of the resolution.

Mr. JONES of Washington. I think it has to go to the Committee to Audit and Control the Contingent Expenses of the Senate. It proposes to make a payment out of the contingent fund.

The VICE PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed the bill (S. 539) to further amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended.

The message also announced that the House had passed a bill (H. R. 11345) authorizing the construction of a bridge across the Allegheny River at or near Freeport, Pa., in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

The bill (H. R. 11345) authorizing the construction of a bridge across the Allegheny River at or near Freeport, Pa., was read twice by its title and referred to the Committee on Commerce.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes.

Mr. McCUMBER. If the Senator from Kentucky [Mr. STANLEY] is ready, I would like to return to paragraph 201, fire brick.

The VICE PRESIDENT. The pending amendment in that paragraph will be stated.

The READING CLERK. The pending amendment is the amendment offered by the senior Senator from Arkansas [Mr. ROBINSON] to the amendment of the senior Senator from North Dakota [Mr. McCUMBER].

The senior Senator from North Dakota has moved to strike out paragraph 201 and to insert a new paragraph 201 as follows:

PAR. 201. Bath brick, chrome brick, and fire brick, not specially provided for, 25 per cent ad valorem; magnesite brick, three-fourths of 1 cent per pound and 10 per cent ad valorem.

The senior Senator from Arkansas moves to strike out "25" before "per cent" and to insert "10."

Mr. STANLEY. Mr. President, the principle involved is much more vital than the duty imposed by the proposed Smoot amendment upon fire brick. We can not judge of the importance of this particular item by the duty imposed. It is highly illustrative, however, of the character of the bill. It furnishes a striking illustration of the fact that this proposed tariff measure is not founded upon any principle, either of free trade or of protection.

In a recent address on behalf of the fire-brick producers of the country the Senator from Idaho [Mr. GOODING] made an especial plea for the imposition of a duty upon fire brick produced in his State. In the course of that address he read a letter from J. B. Watson, of Troy, Idaho, the manager of the Idaho Fire Brick Co., in which that gentleman states his reason for seeking a duty upon fire brick. I ask unanimous consent to insert in the RECORD at this point that portion of the letter of Mr. Watson which was quoted by the Senator from Idaho.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Hon. F. R. GOODING,

United States Senate, Washington, D. C.

TROY, IDAHO, April 3, 1922.

DEAR SENATOR: We believe the new tariff bill has passed the House of Congress and is now up for discussion in the House of Senators. We do not know whether the import tariff on imported fire brick has been increased from 10 per cent, as it was, or not. We earnestly ask yourself to use your best efforts to have this tariff increased from 10 per cent to 25 per cent.

We are selling very few brick in Everett, Seattle, Tacoma, or Portland. Any business we are getting is from inland points.



## FACTS TO BE REMEMBERED.

Ocean freight rate from the Clyde River in Scotland and the Tyne River in England to Seattle and other Pacific coast ports is only a few cents more per ton than the railroad freights are from Troy, Idaho, or Spokane, Wash., to Seattle and other Pacific ports. Then, in Scotland a very great deal of the labor necessary in manufacturing the fire brick is done by females.

As to fire brick imported from Clayburn, British Columbia: The railroad freight, Clayburn to Seattle, is 17 cents and to Tacoma is 18 cents per hundredweight. Our rate to Seattle and Tacoma is 21½ cents per hundredweight, a difference of \$3.15 to Seattle and \$2.45 to Tacoma per 1,000 brick in favor of Clayburn, British Columbia. Besides this, this Clayburn company use cheap Hindu labor at their plant, and, further, on account of Hindu and Chinese labor in the coal mines, their coal is much cheaper in price than our coal is.

Again, the Canadian import tariff on fire brick, United States manufacture, is 22 per cent, with 2 per cent sales tax; total, 24½ per cent.

Mr. STANLEY. After reading that letter the Senator from Idaho said:

So that is the condition the brickmakers in my State have to meet. The manufacturers in Canada employ Hindu labor not only in the brick-yards but in the coal mines. Women laborers are employed in Scotland, and that is what the brick plants of the West must meet. The freight rate the foreigners have to pay is about the same or a little more than we have to pay in Idaho. That is the condition which confronts the two little manufacturing plants we have in our State, and that is the real issue before Congress and before the Senate to-day, whether we will fix a rate which will equalize the difference which exists in the costs of production of any product, whether it is brick or anything else, and give us a chance to work our factories. The other side is not even willing to give our citizens the same protection that Canada gives theirs as against the United States. It is a simple, plain story, but it presents the whole tariff question as to protection, and it will be found to apply to every industry and every case. If Senators on the other side will just take the time to make an honest investigation, instead of casting insults across the aisle to this side, talking about the bill having been framed behind closed doors in the interest of predatory wealth, in all of which they know there is no truth at all.

I gave up a great deal of time while this bill was being framed and saw a great deal of the efforts of the committee. No men ever worked harder than they did, and this is the best tariff bill that has ever been presented to Congress protecting the interests of this whole country.

After that address, and after the statement of the Senator from Idaho that we were not willing to give our own citizens the same protection that was given to citizens of Canada—and it is a fact that there is a 25 per cent ad valorem duty, including a sales tax, on brick imported into Canada, while there is none upon such exports—this schedule, as I understand, was reviewed by the official reviewers on the other side of the aisle and mutilated accordingly. They returned an amendment providing for free brick, with the exception of fire brick, magnesite brick, and two or three other peculiar kinds of brick, but embodying a modest and simple proviso that in the event any other country imposed a duty on brick we were to impose a like duty, a retaliatory duty; or, as the Senator from North Dakota [Mr. McCUMBER] calls it, a "countervailing" duty.

Mr. President, it is a fact that the only brick of any importance that is imported into this country comes from Canada, and, therefore, the proposed countervailing duty is nothing more nor less than a retaliatory duty upon such Canadian exports. The protection afforded is identically the same as if the committee had honestly and candidly imposed a 25 per cent duty on ordinary brick and the same duty upon fire brick.

Upon a superficial view, with no other item before us, it might be plausibly contended that if a 25 per cent duty is imposed on brick coming into Canada we should impose a 25 per cent duty upon brick which Canada exports to this country; but, Mr. President, this continual nagging at Canadian exports; this attempt to build a tariff wall along the Canadian border is the most indefensible, the most unwise, and the smallest piece of politics that was ever played by intelligent legislators. The future political economist or the future historian in reviewing the industrial progress of this country will pause either in pity or amazement at this effort to prevent reciprocal trade relations between Canada and the United States.

The same physical conditions exist in both countries. The Great Plains and the valley of the Mississippi extend across the Canadian border; the same mountain ranges run from Canada through the United States and that part of Canada which is industrially developed happens to be a narrow strip 400 miles wide and 4,000 miles long, producing, in the main, raw materials. This attempt of the United States to keep Douglas fir and pine and wool and metal, the raw materials of Canada, from the smelters and the mills and the factories of the United States has compelled the producers of raw materials in Canada to build a per capita mileage of railroads 300 per cent greater than in the United States, and has resulted in the development of mills in the eastern portion of Canada, in many instances, 3,000 miles from the seat of the production of the raw materials.

For the year ending June 30, 1920, we received from Canada in copper, precious metals, nickel, asbestos, lumber and timber, furs and fur skins, and pulp wood to a value of \$253,089,155.

Mr. President, Senators on the other side may talk about a little countervailing duty against Canada, but by this bill it is proposed to impose a duty upon salt coming from Canada, whereas salt may be imported into Canada free. We are exporting annually to Canada from ten to fourteen million dollars' worth of corn, with no Canadian tariff on the commodity, whereas on the Canadian corn a duty is imposed. Potatoes and flour may be exported by us to Canada free upon condition that we grant a like privilege. Canada is to-day receiving free into her ports \$23,921,938 worth of our tropical and semi-tropical fruits; she receives without any import duty nearly \$27,000,000 worth of our cotton. Of corn, manufactured tobacco, electrical and gas apparatus, the latter of which enter Canada practically free, we shipped into Canada in 1920 nearly \$40,000,000 worth. In addition to that, Canada takes our gasoline, peanut oil, soya beans, such brick as is not manufactured in Canada, iron ore, brass and copper scrap, nickel, wool, native hides, furs and skins, and they all enter Canada free, whereas we impose enormous duties against Canada. In spite of and in face of the liberal policy pursued by Canada, it is proposed that we shall slap her in the face with a petty countervailing duty on a few wheelbarrow loads of bricks. It would have been infinitely better to have left your bill as it was than for the purposes of small politics to have taken this gratuitous slap at the Canadian Government.

Mr. President, let us look at this brick schedule a minute and see what is the necessity for this tax on brick. If a duty upon fire brick were of any material benefit, I should be, from personal or selfish reasons, the last to appear against it.

The fire-brick kilns of my own State in any one day in the year produce more fire brick than is produced in the State of Idaho in a year. The production of fire brick, upon which you place this heavy duty, is an important industry. It is a scientific industry. It is essential to the smelting of metals. It is an essential item in every home. The fire brick makes the backs of your stoves. It goes into your fireplaces, and the seconds and the less fine brick are peculiarly fitted, on account of their hardness, to the building of roads and the erection of public and private buildings of all kinds. As I stated once before upon the floor of the Senate, in the little town of New Cumberland, W. Va.—a town of three or four thousand inhabitants—where they have vast veins of fire clay, the streets are paved with fire brick, the houses are built with it, and the tonnage from the little village of New Cumberland, where they have these vast brick industries, exceeds in weight the entire freight from the imperial city of Memphis.

These brick must be made scientifically. It is not a simple matter to make fire brick. It is not a question of a few ignorant laborers. These brick are made to stand three or four thousand degrees of heat. They are the component parts of one of the most wonderful and scientific of mechanisms. With the exception of the steam engine and various electrical devices, I know of nothing that has done more to make the United States the industrial master of the world than the perfection of the open-hearth furnace. Until this furnace was perfected all our steel had to be made in a Bessemer converter holding a few tons, operated at great cost, and using no other material than the Bessemer ore of the Mesabi Range, for the reason that all of the basic ores all over the United States were too high in phosphorus to make steel; they were used only for castings. With Schwab's perfection of the open-hearth furnace we produced a finer quality of basic steel than by the use of the Bessemer ore, and it made every single pound of ore in the United States immediately available for the highest purposes of fabricated steel, and every one of these open-hearth furnaces is made of fire brick. These fire brick stand only a few heats and then they must be torn down and builded over again.

Our exports of fire brick in the year 1920 amounted to \$82,570,000 and our imports amounted to \$4,200,225—twenty times as many fire brick exported as imported. In addition to that, we have put heavy duties upon the various widely scattered chemicals that go into these brick. It must be remembered that an ordinary rock, like serpentine, will fuse at 700 degrees. Limestone is put in the furnace because it melts more quickly than the ore; and yet by the careful and scientific selection of clays and chemicals ground up and mixed together a brick is produced which will withstand a heat of over 3,000 degrees and hold 5 or 6 tons of molten metal boiling like a caldron. The cheapness with which that furnace can be constructed is an essential element in the production of steel, and in the facility and cheapness with which we can make steel lies our hope of the future mastery of the iron markets of the world; and we first deliberately increase the cost of the production of steel by putting a duty upon fire brick, notwithstanding the fact that

we are exporting twenty times as many brick as we are importing, and why? Because a Senator of the United States must be placated.

Do Senators know that only \$3,000 worth of brick is made in Idaho in a year? The total fire-brick production in Idaho, according to the census of 1920, was 100,165 brick, valued at \$3,000; and in order to protect a shirt-tail full of fire brick in Idaho you place this incubus upon one of the key industries of the world! It is the first time that sane, sober, thoughtful legislators ever met and kept their faces straight while they attempted by legislative processes to construct a barrel around a bung hole.

There are a little over 100 people employed in making fire brick in Idaho, and in the United States as a whole there are thousands employed. My own State is fourth in the production of fire brick. We produce annually in Kentucky not 100,000 fire brick but 100,000,000 fire brick—110,259,000 fire brick, valued at \$3,841,458. If fire brick needed this duty, do you suppose I would be up here making war upon fire brick? I do protest against increasing the cost of production of fire brick. I do protest against increasing the cost of every furnace in the United States and increasing the price of steel. I hold no brief for the Steel Trust, but I will be just, even to it. "For justice all places are a temple, and all seasons summer," and we can never take the duty off of fabricated steel while by unwise, half-baked legislation we increase the cost of its production.

Many political economists believe that but for the sharp competition for the control of the iron business of the world we would have had no World War, and but for our own incomprehensible stupidity in hampering, in weighting, and in manacled this giant of iron we could to-morrow rid this great industry of all the red tape and legislative shackles that impede its progress, we could to-morrow take the iron industry of the world, because none could approach us in production of fire brick as well as everything else entering into the production of iron and steel.

Oh, but says the Senator from Idaho, it costs more to make fire brick in this country. Hindus work in the coal mines in Scotland; and, of course, that would not amount to a row of pins if they did not make cheaper coal than we do here. What does it matter who works in coal mines in Scotland or at what they work if the coal in Scotland costs more than the coal in the United States? But they work Hindus in the coal mines in Scotland and they dig coal for less than our miners, and labor is an item in the cost of producing coal, and the cost of coal is an item in the production of fire brick in Scotland, and that is the house that Jack built.

Why, let us see the real cost of fire brick, if it ever is or ever was imported from Scotland. Now, remember, they state that they can make fire brick for \$30 a ton in Idaho, and it is quoted at much less than that.

Mr. KING. Mr. President, before the Senator leaves the question of the production of coal, will he permit an interruption?

Mr. STANLEY. Certainly.

Mr. KING. I think the evidence conclusively shows that prior to the war we produced coal in the United States perhaps cheaper than it was produced at any other place in the world. The cost of a ton of coal at the tipple was approximately 97 cents to \$1 a ton—cheaper than in Canada, cheaper than in New Brunswick, cheaper than in any of the British possessions to the north, and, as I recall, cheaper than in Scotland or in England, either.

Mr. STANLEY. Why, Mr. President, it is amusing to hear Senators talk about high-priced coal. I am amazed that any informed statesman should do it. Here is the trouble: Some fellow imagines that somebody is getting into his market, and he writes a letter, and he is my constituent, and I believe him. I honestly do believe that if some constituents would write and tell Members of Congress that they needed protection on the American Santa Claus they would demand a duty for the adequate protection of an "American Santa Claus."

Mr. President, as everybody knows, the only country in the world that exports coal to any degree and can produce coal cheaply enough to export it is Great Britain. The coal that is most available, that is high enough in carbon and low enough in ash, that has the quality of a steam coal, is found in Wales.

Just recently the English Government conducted an investigation of the cost of producing coal in Cardiff. They pay their miners, I will say to the genial Senator from Idaho, about half the wages we pay, and, therefore, of course, our coal industry is prostrate. In Scotland they pay still less, and Scotland would no more send coals to Newcastle now than it did a hundred years ago, when poets laughed about such a performance; and yet I read you from the testimony of Mr. William Alexander

Lee, taken before the British Coal Commission. The British Government was investigating the lower cost of American coal in the markets of the world.

Question 1126. Mr. Evan Williams, a member of Parliament, to the witness:

You arrive at a c. i. f. price for South Wales coal in the Argentine of what?—A. Of about 91s. a ton.

Q. What is the American price f. o. b. and what is the freight?—A. The American price f. o. b. is 21s. and the freight, I understand, now stands 60s.

So that we can put a ton of coal to-day in Buenos Aires at 31s. a ton, 33½ per cent less than they can put it there from Wales and much less than what they can put it there from Scotland. Why is that? I read further:

1128. Q. Still at 60s.?—A. Yes. I have not heard of any reduction below 60s. That would make it 81s.

1131. Q. Mr. Evan Williams: Given an adequate supply of tonnage from the States, they can take from us in normal times, or at the present time, even with a considerable reduction in our price f. o. b., the whole of our South American trade?—A. Yes. It is purely a question of what rates the Americans can run their ships. The difference between the South Wales ports and South American ports is roughly the same as that between the American ports and the South American ports, and the Americans will have whatever margin there is between the cost of British coal and American coal f. o. b.

1161. Q. It was just a little in favor of England over the United States?—A. There was about 2s. 6d. in favor of England in freight, but the Americans had it in price.

1337. Q. Supposing pre-war prices, would there be the fear of American competition?—A. On pre-war prices there is a probability of severe American competition in both South America and in the Mediterranean.

To-day, give us the same cost per ton and we can take from the British miner, at from \$1 to \$1.50 less per ton, every market for coal in the western world, from the North Pole to Cape Horn, and we can take every port upon the Mediterranean. Nobody denies that except the Senator from Idaho, and he would not deny it if he had not read a fool letter from a fellow who was making \$3,000 worth of brick out of a production of \$53,000,000.

Let us follow to Boise, Idaho, this apocryphal ton of brick, made out of cheap Scotland coal which never existed. It could reach Idaho by several different ways. The average price of all fire brick in Idaho is \$23 per 1,000. Suppose we start from Scotland. The ocean rate from Glasgow to New York is 25 shillings a ton, and reckoned at the \$4.44 rate, it would be \$5.50 a thousand, or \$19.42 a ton laid down in New York. The rate from New York to Boise is \$25.44 a thousand (3½ long tons), so that it would cost the Glasgow manufacturer \$79.32 to ship a thousand of \$23 brick to Idaho, if he went by that route.

Suppose he wanted to go by way of New Orleans. These figures I am about to read are official. It would cost him \$73.92. Or he might get into Idaho by the Pacific Ocean, which seems to be lined with Chinese and cheap labor, and all sorts of horrible things. It would cost him, by way of Portland, only \$102.63 to get a thousand of brick into Idaho—worth when it landed just \$23—and if he came from Canada, it would cost him, shipped from Montreal, \$74.59. More than that, you employed a tariff commission once. Why on earth you ever established a tariff commission I do not know. The worst enemy to such schedules as this is a tariff commission, or any other commission which can read and write. We did not need a tariff commission to tell us that you could not ship a thousand brick, weighing three or four tons and worth \$23 when you started with it, any great distance without having the freight eat up the value of the brick.

In addition to that, fire clay almost invariably underlies coal, if the Senator from Idaho only knew it. Wherever you have a coal mine with fire clay under it, you can make the kind of brick you manufacture in Idaho. They use the great cutting machines to undercut the fire clay and throw it away in order to get the coal. So you can generally make fire brick wherever you have a coal mine. But you can not ship it over a hundred miles or two hundred miles, if it is ordinary fire brick, because the rate on the brick is more than the price of the brick, and some other fellow will set up a kiln at a coal mine and make fire brick more cheaply than you can ship it.

Mr. SIMMONS. Mr. President, it is suggested that a few thousand brick a year come in as ballast, and therefore we ought to put this duty on for the purpose of protecting against those few thousand ballast brick.

Mr. STANLEY. The committee has reported on that question. In this very same speech the Senator from Idaho states that ships loaded with fire brick come into Seattle and San Francisco after our grain. That would have been all very well if it had not been for the fact that in discussing the matter they accidentally put in some figures.

They say the wharves in Seattle are stacked with fire brick. Suppose they were. Suppose you had brick piled a mile high in



Seattle and San Francisco, you could hardly ship it across the street. You could not send it 50 miles. You could not break bulk and ship a thousand fire brick 100 miles from Seattle, 100 miles from San Francisco, 100 miles from Portland, Oreg., without paying more than \$23, because it weighs several tons. Yet, as I will show further on in a few minutes, you are going to throw the cloak of protectionism about the most gigantic and soulless combination of convicted criminals who ever made a world houseless and homeless, in order that \$3,000 worth of brick in Idaho may be protected from the cheap coal and the pauper labor of Scotland.

Mr. GOODING. Mr. President—

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from Kentucky yield to the Senator from Idaho?

Mr. STANLEY. Certainly.

Mr. GOODING. Did the Senator say there were 200 men employed in Idaho manufacturing fire brick?

Mr. STANLEY. About that.

Mr. GOODING. And they produce \$3,000 worth of fire brick in a year?

Mr. STANLEY. Those are the figures.

Mr. GOODING. In a year?

Mr. STANLEY. Yes, sir. I will read the Senator what he himself said about it.

Mr. GOODING. I did not say anything about it.

Mr. STANLEY. Well, what your man said. Let us get the story of this diminutive and suffering industry. Talk about infant industries. This one has hardly learned to suck yet; it has not been worked. It is just born, but it is not dry. If it is, it is kiln dried. Let me see if I can find that speech in the mass of data I have here.

In this address they say it is a little bit of a suffering industry. I have the figures on it and will put them in the RECORD. It says there are less than 200 people employed in that concern.

Mr. POMERENE. Mr. President, the Senator means to limit that statement about the 200 people being employed in the industry to Idaho?

Mr. STANLEY. Yes; in these two little factories. They have but two brick kilns in Idaho, making \$3,000 worth of bricks. We make \$3,000 worth of bricks in one day in Kentucky. If this is going to hurt anybody, I am ruined.

Mr. POMERENE. If the Senator will permit me, I happen to come from the very center of the brick industry. There are brick companies galore in and about Canton and Cleveland and down along the Ohio River. I never heard of anybody suggesting a tariff on brick. The thing they have been complaining about is railroad rates, which cut them out of a large part of new markets. If there is one thing in the world that we can make in this country it is brick, and because of the freight rates nobody can compete with the brickmakers of Ohio. This must be one of the gold bricks that is being handed to the farmers.

Mr. STANLEY. Mr. President, there is but one bigger fool thing than a tariff on brick, and that would be a tariff on atmosphere—on hot air. In this letter to the Senator from Idaho, the writer says:

There are two small plants producing fire brick located in my home county in Idaho, and these plants are competing with fire brick produced in Scotland, England, and elsewhere, where the wage conditions are not at all adequate for American labor.

Mr. President, I had to hunt for this fire brick in Idaho like hunting for a needle in a haystack. I sent down to the department and asked them to tell me about fire brick, and in the tabulated statement they sent me I could not find Idaho. I went back and said, "Is anyone producing fire brick in Idaho?" The man scratched his head and said, "Fire brick in Idaho?" I said, "Yes." He said, "We can't find it. It is not mentioned. It is negligible." I said, "Go back with your microscope and see if you can find it."

They came back and said, "It is discovered. It has never been brought to the attention of the experts before, but they do make \$3,000 worth in a year." These are official figures from the department, which I will put into the RECORD.

Mr. President, what is the purpose of this duty on brick? The Senator from Arkansas read before this body a most remarkable statement from the Lockwood Committee. If the Senator from Idaho were given the New York market and ran his little kilns full tilt for a hundred years, he could hardly supply the demand of New York for brick for a week.

Mr. GOODING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Idaho?

Mr. STANLEY. Certainly.

Mr. GOODING. The Senator from Kentucky states very clearly the facts in connection with fire brick or any other brick. You can not ship them more than 200 miles over a railroad in this country and pay the freight rate, he said. I will say that usually the common brick, at least, can not be shipped over a hundred miles, though fire brick may be shipped farther, but not more than three or four or five hundred miles, and pay the freight rates on American railroads. I quite agree with the Senator in that. But I do not agree with him that a duty on fire brick, or on common brick, as far as that is concerned, will increase the price of brick to any man in the United States. The Senator had better be a little consistent in his argument.

Mr. STANLEY. I am more than consistent. I am candid. I am severely truthful. Of course, it does not increase the price to the consumer. Oh, Mr. President, we had a typical instance of that the other day when a little 10 per cent duty on cyanide was imposed. It just happens that cyanide is made by one corporation and used by another. A big trust makes cyanide and the great gold mines of the world consume it. So we had a fight between the great producers of gold and the great producers of cyanide, and from the other side of the Chamber we heard the helpless wails that this was a tax that could not be passed on. Why did you not tell the gold miner that the consumer did not pay the tax; that the importer paid the tax on cyanide? Why did you not tell him competition would settle it; that it did not matter if you put it on? But Senator after Senator rose and said as a matter of course this is a tax; said the Senator from South Dakota [Mr. STERLING] this is a tax, said the Senator from Nevada [Mr. ODDIE], the consumer must pay—and the Senator from South Dakota honors me by his attention—the consumer must pay it because you can not pass it on, the price of gold being fixed. If you admit the corporation must pay the tax, why does not the individual have to pay it, too? The minute you found that you had one tax that you could not pass on to the naked, helpless, silent, and undefended consumer, you turned about face and in the twinkling of an eye you took the thing off.

That is a poor argument. If the consumer does not pay it, and the importer pays it, it will come in anyway and the tax will not do you any good. If the importer does not pay it and the consumer pays it, there is every reason for my argument.

It is proposed to put a duty of 25 per cent on brick. There are \$53,000,000 worth of fire brick produced in the United States. There are \$82,000,000 worth of common brick produced. In the city of New York alone there are \$488,000,000 worth of brick consumed in a year. Suppose you gave the Senator from Idaho the market, how long would it take him to supply it? The Senator from New York [Mr. CALDER] has introduced a memorial stating, among other things, that—

There is a present shortage of housing accommodations of the cheaper class for about 400,000 people among the masses of the workers, all of which is set forth in detail in the accompanying report.

The committee now finds that there is a famine in the basic materials required in building construction, such as bricks, sand, lime, cement, etc. The supply of these materials has been restricted in many cases through the operation of these unlawful combinations and in other instances by reason of the phenomenal demand due to the increase of building activity that is essential to meet the emergency.

The exactions of manufacturers and dealers in building materials due to this scarcity of supply have resulted in abnormal price increases, and in some instances in the inability to meet the demand on any terms. Manufacturers and dealers are either unable or unwilling to satisfy these demands upon a basis of reasonable prices over and above the actual cost. This situation prevails not only in the city of New York but in many of the cities throughout the country, and for the same reason. Unless corrected it threatens to paralyze the efforts to correct the present crisis.

As illustrative of the extent to which oppression has been practiced by these combinations above referred to, it appears from the evidence that at a time when the price of building sand was abnormally high, largely as the result of a monopoly in the transportation facilities, a trans-Atlantic steamer of the Munson Line brought as ballast into the port of New York a cargo of high-class sand, which it endeavored to market. Because of the then existing combinations on the building-materials market, no dealer or builder dared buy the sand, although it was of high quality, was greatly needed, and could have been had for less than one-quarter of the price that was then being charged for a similar product. The steamship company was finally compelled, at considerable expense, to take the sand out to sea and there to dump it, because of the grip of this monopoly.

Unless this situation is corrected the continuance of these arrangements will materially interfere with the importation into this country of building materials, unless Congress will, in fixing the tariffs, make such reductions as will take into account the added cost of transportation, due to the fact that our Government is a party to combinations against which its antitrust laws are directed.

The only immediate remedy in sight is to permit the prompt importation into this country of building materials of the classes that are now excluded through prohibitive tariffs, under cover of which the present

profiteering demands are being exacted. The added cost of freight upon such importations due to combinations between the steamship companies increases the burdens to that extent.

Think of this: These makers of brick, these producers of cement—

Mr. GOODING. Mr. President—

Mr. STANLEY. I yield to the Senator from Idaho.

Mr. GOODING. I hope the Senator will not confuse my statement on the small quantity of brick made in Idaho with the brick used in New York or any part of the country. It is a question of the territory we have been covering for a number of years, and we have lost a great deal of that market because of the shipment of brick there from Scotland and England and Canada, where they have cheaper freight rates than we have in Idaho, and are thus enabled to ship fire brick into our markets at Seattle and Tacoma.

The Senator is quite right when he says it could not affect prices more than 200 miles distant. I am sure he does not want to waste time by trying to make me out as saying we have had a chance to ship fire brick to New York and need a duty of 25 per cent. I do not think we can find any new market now with the duty, so far as that is concerned, but we want to hold our own market, and it will not affect the price of brick anywhere in the United States unless to the people of Seattle. It will give us our market, and we are entitled to it.

Mr. STANLEY. If they can ship brick from Scotland to Idaho, I do not see why they should not ship brick from Idaho to New York. But, be that as it may, of course I know they can not ship brick from Idaho to New York, but here is the vice of this "you tickle me and I tickle you" proposition. The Senator from Idaho must have protection on brick. You can not protect the brick of Idaho without protecting the brick of New York. The prices of brick in New York have gone up from \$17 to \$50 a thousand. When the price of brick in twenty-odd cities of the United States, from Boston to Los Angeles, ranged from \$15 to \$20 a thousand, a merciless gang of highlanders took by the throat the great city of New York, with 400,000 homeless people, an empire in itself, and are demanding 150 per cent profit on brick. Not only that, they are in close combination with the makers of cement and the producers of sand, and for these crimes they have been tried and convicted in the courts.

The price of brick in New York was raised to such an exorbitant price by this criminal conspiracy that it has overcome the hitherto impenetrable barrier of freight rates upon such a heavy commodity, and brick were about to be imported from Canada into New York. The people of New York, the houseless ones, with the sworn officers of the law, come here and out of the mouth of a Republican, not a Democratic, Congressman, and in the name of common justice and common decency they pray and plead with you and memorialize you not to put a duty of 25 per cent upon an essential commodity so necessary to the industrial life of the greatest metropolis in the world.

Your answer is, "We would like to do it, but the Senator from Idaho has \$3,000 worth of fire brick and we must take care of a fellow Senator if New York goes to the ding-bowwows or industrially to the devil."

That is the absurdity, that is the wickedness, that is the assninity of imposing duties of this kind. I have taken the time of the Senate upon this schedule not on account of the size of the industry—considerable as it is—but because it is a startling instance not of protectionism gone mad but of protectionism gone demented. Senile and shameless, reduced to a point where it no longer realizes that the people of the United States, the intelligent electorate of America, if they do not condemn it for its crime, will spew it out of their mouths for its stupidity and its folly.

Mr. GOODING addressed the Senate. After having spoken for some time,

Mr. McNARY. Mr. President—

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from Idaho yield to the Senator from Oregon?

Mr. GOODING. I yield.

Mr. McNARY. The Senator from Idaho is making a most valuable contribution to this discussion. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Asburt	Cameron	Curtis	Hale
Ball	Capper	Dillingham	Harris
Borah	Caraway	du Pont	Harrison
Brandegee	Colt	Ernst	Heflin
Bursum	Culberson	Gerry	Johnson
Calder	Cummins	Gooding	Jones, Wash.

Kellogg	McNary	Poin Dexter
Kendrick	Moses	Pomerene
Keyes	Nelson	Ransdell
King	New	Rawson
Ladd	Newberry	Robinson
La Follette	Nicholson	Sheppard
Lenroot	Norris	Shortridge
Lodge	Oddie	Simmons
McCumber	Page	Smith
McKinley	Pepper	Smoot
McLean	Phipps	Spencer

Stanley
Sterling
Swanson
Townsend
Underwood
Wadsworth
Walsh, Mont.
Warren
Watson, Ga.
Willis

The PRESIDING OFFICER. Sixty-seven Senators having answered to their names, there is a quorum present.

#### EXTENSION OF NATIONAL BANK CHARTERS.

Mr. KING. Mr. President, will the Senator from Idaho yield to me?

Mr. GOODING. Yes; I yield.

Mr. KING. During my absence a day or two ago House bill 9527 extending the charters of national banks was called up and passed. I was opposed to that bill. I do not believe that it is wise or prudent to grant charters for 99 years. Of course, the bill as passed by the Senate was an improvement over the bill as passed by the House. I was entirely willing to support a measure granting charters to national banks for a period of 50 years. The distinguished Senator from Virginia [Mr. GLASS] and others who I thought shared the views which I entertained, I am now advised, had acceded to the Senate bill, and so far as I know now there are perhaps only two or three of us who are opposed to the bill. I do not feel like carrying the fight further, in view of that fact.

Mr. WATSON of Georgia. Mr. President—

Mr. KING. I yield.

Mr. WATSON of Georgia. I think I am right in saying that heretofore national banks have never asked for charters for longer than 20 years at a time. I think they have been renewed at 20-year periods heretofore.

Mr. KING. That is my recollection.

Mr. WATSON of Georgia. Then, why this perpetual charter, which is against the spirit of democratic institutions?

Mr. CALDER. Mr. President, if the Senator will permit me, the national banks of the country, through their organizations, have asked for perpetual charters, pointing out the fact that under our Federal reserve act they were given certain fiduciary powers; and also, in view of the fact that the State banks can come in under the Federal reserve act and have every right and privilege that a national bank has under the Federal reserve system, the national banks felt that they ought to have all the privileges accorded the State banks, and they think that they can not get the trust business that the State banks get unless they have perpetual charters.

As the Senator knows, the Committee on Banking and Currency examined every phase of that question; and in view of the opposition, particularly on the other side, they determined not to press the matter of perpetual charters, and therefor brought in an amendment to the House bill providing for 99-year charters. The bill has passed the House, the House has disagreed to our amendments, and the bill is back here from the House with a request for a conference.

Mr. WATSON of Georgia. But, Mr. President, there is no similarity between State banks and national banks. The State banks have no authority to issue notes to circulate as money. The national banks have; and the Democratic Party, if it has any record at all, is on record as eternally hostile to the issue of money by private institutions. That was the creed of Jefferson. That was the great fight that Jackson made. That subject takes up some of the most thrilling chapters in the autobiography of Martin Van Buren. I am amazed, Mr. President, that on the Democratic side no opposition is made to the renewal of these charters for any length of time, and certainly I am astonished that anybody should agree to renew the charters for so long a time as 50 years, when heretofore the banks themselves have only asked for 20.

Mr. KELLOGG. Mr. President, will the Senator yield?

Mr. GOODING. Mr. President—

Mr. KING. If the Senator from Idaho will indulge us for a few moments more, I shall be much obliged.

Mr. GOODING. I shall be very glad to yield, if it is only for a reasonable time.

Mr. KELLOGG. Of course, the issuing of circulating notes has nothing to do with the charters of banks. Congress has absolute control of that privilege, and can take it away at any time it sees fit. Congress can take away the charter of any national bank. Even if it is made a perpetual charter there is a reservation, and not only can Congress take it away but it can be revoked for a violation of any of the terms of the charter.



Mr. WATSON of Georgia. That has always been the case, Mr. President.

Mr. KELLOGG. That has always been the case. The question of whether a national bank should or should not issue notes to circulate as money, of course, is entirely in the hands of Congress, as is the question whether a charter shall be continuous or not. There is one object in not requiring the renewal of these charters every 20 years. It is a very expensive proceeding, while Congress has the absolute power at any time to take away the charters, to repeal the charters, or to amend the charters.

Mr. WATSON of Georgia. The Senator knows the strength of the plea that is made in favor of vested rights.

Mr. KELLOGG. I understand that, but the Senator will understand that there are 18 States already which grant perpetual charters.

Mr. CALDER. There are 21.

Mr. KELLOGG. And the number is increasing constantly. I submit there can be no particular object in requiring a bank to go to the expense of reorganizing and liquidating every 20 years.

Mr. WATSON of Georgia. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. GOODING. I do not think I shall yield any longer, unless the Senator from New York is compelled to go away.

Mr. CALDER. I am going to leave the Chamber in a few moments. The bill has passed. It is simply a question whether the Senator from Utah is disposed to withdraw his motion to reconsider the vote. The bill must become a law within a few weeks, or a great many banks will be compelled to liquidate.

Mr. WATSON of Georgia. If the Senator will examine the Statistical Abstract as to the profits paid by these banks, which are stupendous, I am sure he will agree that the expense of reorganization once in 20 years is a mere drop in the bucket.

Mr. KING. Mr. President, I share the views which have been expressed by the Senator from Georgia. This legislation is very obnoxious to me, and I am opposed to it. If I could defeat it I certainly should. However, with the limited opposition which I perceive exists—the Senator from Georgia and myself are, as far as I know, the only two opposed to it—I do not feel like pressing the fight, and therefore I was disposed to withdraw my motion to reconsider; but if the Senator from Georgia desires to discuss the matter further—

Mr. GOODING. I shall object to any further discussion of this matter.

Mr. WATSON of Georgia. I will not take any more time of the Senate.

Mr. KING. I shall not withdraw my motion to reconsider.

Mr. WATSON of Georgia. I hope the Senator will not withdraw his motion.

Mr. KING. I shall not withdraw it at this time.

Mr. CALDER. If the Senator from Idaho will yield further, and it is in order, I would like to make a point of order against the motion of the Senator from Utah. The Senator made his motion after the House had taken action on the bill. The bill had passed the Senate, gone to the other House, they had disagreed with the Senate amendments, and had asked for a conference. I submit that that action having been taken, the motion is not in order.

Mr. WATSON of Georgia. But the Senator from Idaho has the floor.

The PRESIDING OFFICER. The Senator from Idaho has the floor, and he has yielded to the Senator from New York.

Mr. WATSON of Georgia. Does that not take unanimous consent?

The PRESIDING OFFICER. Not for the Senator from Idaho to yield to the Senator from New York.

Mr. WATSON of Georgia. The question is not here now in regular order. Can the Senator bring it up without unanimous consent, or even with unanimous consent now?

Mr. KING. Mr. President, I suggest to the Senator from New York to let the matter go over until Monday.

Mr. CALDER. I submit that if the Senator proposes to insist upon his motion, and my point of order is not well taken, the papers must be returned to the other Chamber, their action in appointing conferees rescinded, and the bill returned to the Senate. We have only a week or two to dispose of this whole matter, and it is a subject of great inconvenience to the business interests of the country.

Mr. KING. I do not desire to hold this matter up, or to occasion any confusion or trouble to the banks, and that is why I suggested that if the Senator would let it go over until Monday we will join in requesting the chairman of the Committee on

Finance to give us a little while on Monday morning to consider this.

Mr. KELLOGG. I suppose the Senator knows there is no general law for the extension of bank charters.

Mr. KING. I am familiar with that.

Mr. KELLOGG. And that they go out of business when their charters expire.

Mr. KING. I understand that.

The PRESIDING OFFICER. The Senator from Idaho [Mr. GOODING] is entitled to the floor.

#### THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes.

Mr. GOODING resumed and concluded his speech, which is entire as follows:

Mr. President, again let me say, I have not any quarrel with Senators on the other side of the aisle who believe that protection is unconstitutional and morally wrong. That is the issue before this body in this protective tariff measure to-day, whether we shall have on the one hand protection or on the other hand free trade. I think we have spent something like two days discussing the brick schedule and yet in their own argument they admit that it can not affect the price of brick more than 200 miles from the Canadian border, and I agree with them thoroughly so far as common brick are concerned. Yet they would have the American people believe that a 25 per cent ad valorem duty on brick would raise the price of brick to every man who is building a home in America.

That is what they are trying to do, to impress upon the American people that protection to an American industry and to American labor is robbery and an outrage. Believing as they do that it is unconstitutional they have the right to say that protection is a robbery. In this case where Canada gives a 25 per cent ad valorem duty and our brickmakers are denied that protection, they would continue the denial of that rate to American brickmakers. I say it is unfair, it is unjust, and it is un-American for any man to take an attitude that would destroy an industry in this country. I do not care how small it is, if it only employs 200 men a year. That principle is un-American, and I do not care from what party it comes.

It is true that British Columbia can manufacture brick and can put it into Tacoma and Seattle at a less freight rate than can be done from my State, and that they are monopolizing and taking that market. It is true that they are bringing brick as ballast from Scotland and selling it there and that brick are piled up on the wharves of Seattle at the present time. But it is a question of whether you are going to be as fair to your people as Canada is to her own people, and give them protection.

Of course, everybody knows, so far as a tariff on brick is concerned, or whether it is on the free list, that the price can not be affected in New York if there is a brickkiln within 100 miles of that city. They can not ship from Canada very far into the United States, nor can we ship into Canada very far. There may be exchanges of brick in different cities along the border, but that is about all there is of it. That is all it amounts to. But in order to destroy a great principle of government, you have fought this little brick protection for two long days with the hope that it will go out to the American people that this is an iniquitous measure, an infamous measure, conceived in corruption and behind closed doors, all of which you know is not true. That is your game. You are fighting your campaign right now, and unless somebody answers in behalf of the great principle of protection on this side, you will do very well when election time comes. There is no question about that. Unless somebody on this side of the aisle tells the truth to the American people and meets the accusations and false statements made on the other side, of course you will be ready to let the bill pass when you have sold it to the American people as a gold brick and a bunch of bunk—there is no question about that—and not until then. The Senator from Alabama [Mr. UNDERWOOD] has been more than fair in making his statement that when they tell the American people about this bill—and that means from the viewpoint of the free trader and the man who believes it is unconstitutional and morally wrong to have protection—then you are going to let it pass, and not until then. It is just as plain as if it were written on the walls what you intend to do.

In the great international bankers of this country who are internationalized to-day, who have lost their touch with the American people, who have been for more than a year accentuating the importance of foreign trade, you have a political ally of great power. All through the papers for more than a year they have been talking about our foreign trade. They have been doing more than that. They have had public speak-

ers all over America accentuating the importance of our foreign trade. I will agree that it is important, but we need not destroy our own industries, which I am going to show, too, before I get through, in order to have foreign trade.

Then, again, you have the importers, many of them great owners of department stores in this country, the Shylocks of America—do not forget that, and I will prove it before the bill is passed—the great Shylocks of America.

A thousand per cent is a common thing with them on goods produced by the pauper labor of Europe, which they bring in here and sell to the American people. They are supported by the great daily newspapers, of which the department stores are the best customers. Of course the Senator from Kentucky and his Democratic colleagues have a right to be encouraged, with all these great daily papers advocating their cause. In Detroit one department store paid to three Detroit newspapers last year \$600,000 for advertising. The sum of \$700,000,000 is paid yearly to the newspapers by the retail stores of this country, no small amount of it coming from the department houses, if you please. It is not strange that they say it is no time to pass a protective tariff measure. It never will be, so far as they are concerned.

Of course the Senator from Kentucky is not willing that we shall do for our brick manufacturers what Canada is doing for her brick manufacturers. It does not make any difference, as the Senator from Arkansas said the other evening, what Canada does. If the Democratic Party live up to their principles and follow the faith of their fathers, they have got to put bricks on the free list or impose a duty upon them that is not protective. That is the issue between us, and there is not any retreating from it, so far as I am concerned. That is the line I am going to follow in the discussion of the pending bill before the Senate.

I shall now undertake to conclude the remarks begun by me some days ago. I shall resume my discussion of tariffs in foreign countries. First let me refer to the tariff in Belgium. I find that on cocoa Belgium levies a tax of \$7.80 per 100 pounds, and cocoa is a breakfast food. On coffee there is levied a tax of \$2.60 per 100 pounds; on vegetables, tinned or bottled, \$3.90 per 100 pounds; on cheese, \$2.08 per 100 pounds; on apples, \$8.63 per 100 pounds; on grapes, \$7.77 per 100 pounds; on coconuts, 69 cents per 100 pounds; on prunes, \$5.17 per 100 pounds; on dates, \$2.76 per 100 pounds; on raisins, \$1.73 per 100 pounds; on oats, 26 cents a bushel; on oat flour, 69 cents per 100 pounds; on vermicelli and macaroni, 69 cents per 100 pounds; on honey, \$3.10 per 100 pounds; on soap, from \$7.03 per 100 pounds to \$15.53 per 100 pounds; on sugar, \$1.52 per 100 pounds; on tobacco, from \$5.17 to \$10.40 per 100 pounds; on tobacco manufactured, \$21.57 per 100 pounds; on dressed poultry, \$10.34 per 100 pounds.

So we find that Belgium taxes the breakfast table. The United States levies the lightest tax on the breakfast table of any country in the world, and its tariff duties are the lowest of any country in the world, with the exception of China, and she has no right to fix her own duties and afford protection to her industries.

Of agricultural products and provisions the amount imported under the Payne-Aldrich law in 1912 was \$34,146,822. At that time our population was 95,097,289, and they paid a per capita tax of 36 cents on agricultural products and provisions, with the exception of sugar. We collected a duty of \$50,951,199 on sugar, a per capita tax of 53 cents. For the year 1912, under the Payne-Aldrich law, the total per capita tax collected on all agricultural products and provisions was 89 cents. The total customs receipts for that year were \$311,321,672. So during that year the American people paid a per capita tax on everything they ate and everything they wore, including luxuries and everything else, amounting to the insignificant sum of \$3.20 per capita. That was under that "robber" tariff bill—that "outrageous robbery" that was forced upon the American people by the Republican Party.

In 1914, on agricultural products and provisions imported into this country, we received a revenue amounting to \$24,817,322. Our population at that time was estimated as being 97,297,515. Under the Underwood law the people paid a per capita tax on agricultural products, not including sugar, of 25 cents. During that year the revenue collected from sugar was \$61,870,547; so that under the Underwood-Simmons law the per capita tax on sugar was 63 cents. The total revenue collected on all agricultural products for the year 1914 was \$86,678,779, representing a tax of 88 cents per capita. The total customs receipts for that year were \$283,718,081, representing a per capita tax in 1914, under the Underwood-Simmons law, of \$2.85.

For the year 1920 we collected revenue on agricultural products and provisions, with the exception of sugar, of \$24,521,305; and on sugar we collected revenues of \$79,556,137. It appears, therefore, that the per capita tax on the American people on sugar for the year 1920 was 75 cents, and the American people paid a total per capita tax of 98 cents on all agricultural products and provisions, including sugar. The total customs receipts for that year were \$325,645,565, representing a per capita tax under the Underwood-Simmons law of \$3.01.

Under the emergency tariff bill it is estimated that in 1922, on agricultural products and provisions, not including sugar, there will be collected a revenue of \$45,881,959, representing a per capita tax for agricultural products and provisions of 43 cents. On sugar it is estimated that we will collect a revenue of \$103,979,805, or a per capita tax of 98 cents on sugar alone. For that year under the emergency tariff law the total amount of revenue from agricultural products of all kinds is estimated at \$149,879,764, or a per capita tax of \$1.41.

Mr. STANLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Kentucky?

Mr. GOODING. I yield.

Mr. STANLEY. The Senator has questioned the authority for the statement made by me that there are about 200 wage earners making fire brick in Idaho. I am in receipt of a letter from the chief statistician for the Bureau of Manufactures of the Department of Commerce, dated May 19, 1922, in which he says, among other things—and I will incorporate the letter in the RECORD in the remarks which I have already made—

These concerns manufacturing fire brick in Idaho employed an average number of 109 wage earners. I regret that it is impossible to separate the statistics for fire brick from those of other brick.

I placed the number too high. It is 109, instead of 200.

Mr. GOODING. Do the figures refer to those employed in making fire brick?

Mr. STANLEY. Yes; those employed in making fire brick.

Mr. GOODING. And the total value of their labor for a year was \$3,000, according to the Senator's statement. Let that go in the RECORD with the Senator's statement, and let it stand. I am satisfied with it.

Mr. STANLEY. The statement as to \$3,000 was from the census.

Mr. GOODING. Very well, let it go in the RECORD as the Senator's statement.

Mr. STANLEY. The census for manufactures for 1920 gives the value of \$231,457 for every kind of brick in Idaho produced in Idaho.

Mr. GOODING. Mr. President, to resume my discussion where I was interrupted, under the Fordney-McCumber bill the revenue collected will be, it is estimated, \$350,000,000. The American people will be asked to pay \$1.45 per capita on agricultural products and provisions, including sugar; and they will be asked to pay on all commodities under a measure that gives protection to every American industry the stupendous sum of \$3.29 per capita.

The United Kingdom in 1922 collected from her people, through her customhouses, \$632,052,720, or nearly twice what will be collected from the American people under a protective tariff measure. With a population of 42,767,530, England collected a per capita tax, through her customhouses, of \$14.78, as against \$3.29 in America under the rates of the pending bill.

Why, we are nearer a free-trade country than any other country on earth. There is no question about it. Canada in 1922 collected a revenue of \$104,420,451 from a population of 8,769,489, a per capita tax of \$11.90. They are a protected country as compared to ours, and yet you would not give the American brickmakers where they are exposed to competition the same duty that Canada is willing to give to her citizens. You can not help it; you have to vote for free trade, and be against all protection; and I have no feeling about it as far as I am concerned.

France in 1921 collected a revenue through her customhouses of \$360,880,770, with a population of 41,500,000, a per capita tax of \$8.69.

Germany in 1922 collected through her customhouses \$1,047,200,000, with a population of 62,000,000, a per capita tax of \$16.89.

Argentina collected through her customhouses in 1920 a revenue of \$70,526,398, with a population of 9,000,000, a per capita tax of \$7.83 down in Argentina.

Mr. President, before this bill is passed our friends on the other side of the Chamber will be shedding tears for the laboring men of America, and I am sure they are going to be genuine tears, from the heart; but if they will take the time to ascer-



tain how light the burdens are here in America on the laboring man, who pays a smaller tax than any other laboring man in all the world, they can save their tears and shed them for other people in foreign countries. We will hear a good deal about the breakfast table, of course, when we come to farm products, which are necessities of life. Of course, the clothes you wear, everything you have in your home which is taxed under the Underwood law, are not necessities!

I have taken the four great articles of breakfast food used to determine the difference in taxes paid on tea, cocoa, coffee, and sugar in the different countries of the world as compared with America.

England places a duty of 24 cents a pound on tea and collects a revenue of \$86,150,710, or \$2 per capita, on tea alone. She places a rate of 10 cents a pound on cocoa, collects a revenue of \$9,845,320, or 23 cents per capita, on cocoa, another breakfast table necessity in England and all over the world. England places a duty of 12 cents a pound on coffee and collects a revenue of \$3,118,857, or a per capita tax of 7 cents. She places a duty of 6 cents a pound on sugar. She collects a revenue of \$204,338,700, a per capita tax on sugar alone in England of \$4.48 every year, at least that is what it was in 1921. These figures are for 1921.

The average daily wage for carpenters, bricklayers, machinists, plasterers, painters, and shoemakers in the United Kingdom at present is \$3.08. The average for these trades in the United States is \$7.17 a day in 45 of our great cities. If the American laborer were taxed in proportion to the earnings of the laborer of the United Kingdom he would be forced to pay a tax on foreign imports of \$34.30 a year, while the per capita tax collected in England from her customhouses on foreign imports is \$14.80.

France places a duty of \$2.70 a hundred on tea, and she collects a revenue of \$66,962,304, a per capita tax of \$1.62. On coffee for the breakfast table she places a duty of 26 cents a pound. She collects a revenue of \$37,719,648, a per capita tax of 90 cents, on coffee alone; while in America everything that goes on the breakfast table and on the dinner table, and everything the American eats, will carry a tax of but \$1.45, as estimated, under the tariff bill that is before the Senate at the present time.

On those four articles France collects a revenue of \$2.77 per capita per year. The average daily wage paid to carpenters, bricklayers, machinists, plasterers, painters, and shoemakers in France at the present time is \$1.46. The average for those trades in the United States is \$7.17. If the American laborer were taxed in proportion to the earnings of the laborer of France, he would be forced to pay a tax on foreign imports of \$42.60 a year, as compared with \$3.29 under a protective tariff measure which gives labor protection, and which gives every industry in America protection. Ah, yes; the American laborer has been robbed.

The average daily wage paid to carpenters, bricklayers, machinists, plasterers, painters, and shoemakers in Germany at the present time is the princely sum of 71 cents. I was unable to get the figures of the receipts from the different items—coffee, sugar, tea, and cocoa—in Germany, but they collect a total per capita tax of \$16.89 from their people on foreign imports. If the American laborer were taxed in proportion to the earnings of the laborer in Germany he would be forced to pay a tax on foreign imports of \$168.90 a year.

I shall next give the figures for Canada, right across the border, in whose favor the Senator from Kentucky is so keen to destroy the brick plants in this country, where they can be destroyed, along the line, from the fact that in Canada they have cheaper labor and cheaper freight rates in some cases. Canada places a tax on the breakfast table; on tea of 10 cents a pound.

Mr. STANLEY. Mr. President, does the Senator mean to say that the level of wages in Canada is lower than in the United States?

Mr. GOODING. Lower than in the United States on an average.

Mr. STANLEY. That is contrary to the information furnished by every investigation of every industry we have ever had brought to the attention of the Senate or the Congress, and I would like to have incorporated in my address statements which prove the contrary.

Mr. GOODING. My information is that they are quite considerably lower in Canada on an average, especially in the trades, than they are in this country. In Canada in the woods I know they are working 10 hours a day. I think the scale is the same, but in America they have an eight-hour day in the woods right along the border, and in Canada they employ

Japs, Hindus, and that class of labor. The Pacific Northwest is the only place I know of where outdoor labor in the woods is given an 8-hour day.

Canada places a duty of 10 cents a pound on tea. She collects a revenue of \$2,570,480, or a per capita tax on breakfast tea of 29 cents. She places a duty on coffee of 5 cents a pound. The per capita tax is 6 cents.

She places a duty on cocoa of 35 cents a pound, and collects a revenue of \$184,355,72, or 2 cents per capita.

She places a duty on sugar of 2 cents a pound. She collects a revenue of \$8,150,797.60, a per capita tax on sugar in Canada of 92 cents.

The total per capita tax on those four articles in Canada is \$1.29. The total per capita tax in Canada on foreign imports is \$11.90, compared with \$3.29 estimated under the McCumber bill.

The Republican policy has always been never to place any tax on any articles not produced in this country unless they have a displacement value, unless they displace some product of this country. This is practically the only great country in the world that follows that policy. That is the principle of the Republican Party, only to put a tax, if you please to call it a tax—I am not willing to admit that it is a tax except to the foreigner, as he brings his imports into this country and pays his money into the customhouse in order to bring his goods in here to sell in our market. Every tax placed on every industry is placed there for the benefit of labor, without a single exception to the rule.

In 1912 we admitted free of duty foreign imports to the value of \$861,512,987. That same year we admitted foreign imports to the value of \$759,209,915 upon which duties were paid. So that 53 per cent of all imports passed the customhouse free of duty under the protective tariff act of 1909.

In 1920 we received in this country free of duty imports to the value of \$3,113,948,338. That same year we received imports to the value of \$1,985,865,155, upon which duties were paid. In 1921, 61 per cent of all our foreign imports passed our customhouse free of duty, a larger percentage both under protection and free trade passing the customhouse of this country free of duty than any other country on earth. Yet we are asked, How can Europe sell to us unless we open our ports and give them an opportunity to bring their products in free.

Our duties on the average are lower than those of any other country on earth. The receipts at the customhouse prove that beyond any question of doubt. I placed in the Record the other day a list of the articles that we buy from foreign countries upon which no duty is paid at all. Why, we buy 80 per cent of all the rubber of the world. We are the biggest buyers of raw silk in the world that comes in here free, and many other of the great commodities of the world are admitted here free. Yet the great importers of this country and the international bankers come pretty near making the American people believe that our ports are practically closed to the foreigners of the world, which is not true. The Fordney-McCumber bill reduces the free list from 6 to 8 per cent, so that no doubt, as in the past, more than 50 per cent of our imports will come into this country free of duty.

I regret that we have people of foreign birth in this country who are objecting to this Government levying duties on imports that come in from their native land. I can not understand a foreigner, who comes to America to make a home, being pro-English, pro-German, pro-French, pro-Italian, pro-anything but pro-American. Never since the beginning of time has there been such a Government as ours. Never since the beginning of time has the laboring man had such an opportunity as he has had in America. Under the protection of this great Government of ours, foreigners are coming to our shores, and are given an opportunity to enjoy privileges and liberties such as the nobility in their own native lands have never enjoyed. It is time, as Andrew Jackson said way back in 1824, that we become a little more Americanized.

I want to tell Senators on the other side of the Chamber that we have reached a milestone in the history of this country, a milestone in the history of the whole world, when the question comes to find employment not only for the people of America but for the people of the world. I do not know how we are going to go on being the great beacon light for humanity unless we protect our own people and keep them strong, hoping some day that the people of Europe, the poor people of Europe, will come up to our standards. But as long as I have strength I am not going to see our ports thrown wide open, as the Democratic Party would have done if they could, and will do if they can, to the cheap labor of all the world.

I never was in more deadly earnest in my life than I am over the great principle of protection. I believe it is responsible

for the American standard of living and wages and citizenship that have made us the supercountry of all the world and the greatest people that ever graced the footstool since the dawn of civilization. I sometimes wonder if there can be an American who, in the words of Sir Walter Scott, has not said:

Breathes there the man with soul so dead  
Who never to himself hath said,  
This is my own, my native land?  
Whose heart hath ne'er within him burned,  
As home his footsteps he hath turned  
From wandering on a foreign strand?  
If such there breathe, go, mark him well;  
For him no minstrel raptures swell;  
High though his titles, proud his name,  
Boundless his wealth as wish can claim—  
Despite those titles, power, and pelf,  
The wretch, concentrated all in self,  
Living, shall forfeit fair renown,  
And, doubly dying, shall go down  
To the vile dust from whence he sprung,  
Unwept, unhonored, and unsung.

Mr. President, I ask permission to have inserted in the RECORD the tables to which I have referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Total and per capita revenue derived from imports in the countries named for the latest year for which the figures are available.

Country.	Year.	Total receipts.	Population.	Per capita.
United States.....	1921	\$292,397,349	105,710,620	\$2.76
United Kingdom.....	1922	632,052,720	42,767,530	14.78
Canada.....	1922	104,420,451	8,769,489	11.90
France.....	1921	360,880,770	41,500,000	8.69
Germany.....	1922	1,047,200,000	62,000,000	16.89
Argentina.....	1920	70,526,398	9,000,000	7.83
Chile.....	1920	52,377,367	3,870,023	13.53

Estimated total receipts under the McCumber bill, \$350,000,000; estimated total per capita, \$3.29.

All receipts converted into American money at par. The fiscal year in the United Kingdom, Canada, and Germany ends March 31. The receipts for Germany for 1922 are estimated.

Source of information: Bureau of Foreign and Domestic Commerce.

#### TARIFF OF BELGIUM.

Monetary unit, 1 franc equals 100 centimes or \$0.192; metric system of weights and measures.

Article.	Unit.	Duty.
	Pounds.	
Butter.....	100	\$1.73
Cocoa, prepared.....	100	7.80
Coffee, roasted.....	100	2.60
Vegetables, tinned or bottled.....	100	3.90
Cheese.....	100	2.08
Cream, for manufacture.....	(1)	0.08
Milk, for manufacture.....	(1)	.016
Almonds.....	100	3.00
Bananas.....	100	1.30
Lemons, oranges, figs.....	100	1.56
Apples.....	100	8.63
Grapes.....	100	7.77
Walnuts in shell.....	100	1.72
Walnuts, shelled.....	100	2.44
Coconuts.....	100	.69
Prunes.....	100	5.17
Dates.....	100	2.76
Raisins.....	100	1.73
Oats.....	(2)	.23
Oat flour.....	100	.69
Flour, all other.....	100	.17
Vermicelli, macaroni, etc.....	100	.69
Honey.....	100	3.10
Soap.....	100	1.03
Sugar.....	100	to 15.53
Tobacco.....	100	1.32
Tobacco, manufactured.....	100	5.17
Game, dead.....	100	21.57
Poultry, dead.....	100	5.17
	100	10.34

<sup>1</sup> Gallon.

<sup>2</sup> Bushel.

NOTE.—Duties converted at par.

#### GERMANY.

Population, 1922.....	62,000,000
Total customs receipts from imports, 1922.....	\$1,047,200,000
Per capita total receipts.....	\$16.89

The average daily wage paid to carpenters, bricklayers, machinists, plasterers, painters, and shoemakers of Germany at the present time is 71 cents a day. The average for these trades in the United States is \$7.17. If the American laborers of this country were taxed in proportion to the earnings of the laborers of Germany, they would be forced to pay a tax on foreign imports of \$168.90 a year.

#### FRANCE.

Revenue derived from duties on imports of tea, coffee, cocoa, and sugar into France for the fiscal year ended March 31, 1920.

Article.	Duty.	Receipts.	Per capita tax.
	Pound.		
Sugar.....	\$0.027	\$66,962,304	\$1.62
Coffee.....	.26	37,719,648	.90
Cocoa.....	.26	9,549,412	.235
Tea.....	.35	672,384	.015
Total.....		114,903,748	2.77

Population, 1921.....	41,500,000
Total customs receipts from imports, 1921.....	\$360,880,770
Per capita total receipts.....	\$8.69

The average daily wage paid to carpenters, bricklayers, machinists, plasterers, painters, and shoemakers of France at the present time is \$1.46 a day. The average for these trades in the United States is \$7.17. If the American laborers of this country were taxed in proportion to the earnings of the laborers in France, they would be forced to pay a tax on foreign imports of \$42.60 a year.

#### UNITED KINGDOM.

Revenue derived from duties on imports of tea, coffee, cocoa, and sugar into the United Kingdom for the fiscal year ended March 31, 1921.

Article.	Duty.	Receipts.	Per capita tax.
	Pound.		
Tea.....	\$0.24	\$86,150,710	\$2.00
Cocoa.....	.10	9,854,512	.23
Coffee.....	.12	3,018,837	.07
Sugar.....	.08	204,338,700	4.48
Total.....		303,462,765	6.78

Population, 1922.....	42,767,530
Total customs receipts from imports, 1922.....	\$632,052,720
Per capita total receipts.....	\$14.78

The average daily wage paid to carpenters, bricklayers, machinists, plasterers, painters, and shoemakers of the United Kingdom at the present time is \$3.08 a day. The average for these trades in the United States is \$7.17. If the American laborers of this country were taxed in proportion to the earnings of the laborers of the United Kingdom, they would be forced to pay a tax on foreign imports of \$34.30 a year.

#### CANADA.

Revenue derived from duties on imports of tea, coffee, cocoa, and sugar into Canada for the fiscal year ended March 31, 1921.

Article.	Duty.	Receipts.	Per capita tax.
Tea.....	10 cents per pound.....	\$2,570,480.74	\$0.29
Coffee.....	5 cents per pound.....	538,551.11	.06
Cocoa.....	35 per cent.....	184,355.72	.02
Sugar.....	2 cents per pound.....	8,150,797.60	.92
Total.....		11,444,185.17	1.29

Population, 1922, 8,769,489; total customs receipts from imports, 1922, \$104,420,451; per capita total receipts, \$11.90.

Revenue derived from duties levied on imports of agricultural products and provisions and on sugar under the Payne-Aldrich, Underwood-Simmons, and the emergency tariff laws.

Articles.	Import revenue, 1912 (Payne-Aldrich.)	Population.	Per capita tax.
Agricultural products and provisions.....	\$34,146,871	95,097,298	\$0.36
Sugar.....	50,951,199		.53
Total.....	85,098,070		.89

Total: Customs receipts, \$311,321,672; per capita, \$3.20.

Articles.	Import revenue, 1914 (Payne-Aldrich.)	Population.	Per capita tax.
Agricultural products and provisions.....	\$24,817,322	97,297,515	\$0.25
Sugar.....	61,870,457		.63
Total.....	86,687,779		.88

Total: Customs receipts, \$283,718,081; per capita, \$2.85.



## CANADA—Continued.

Revenue derived from duties levied on imports, etc.—Continued.

Articles.	Import revenue 1920 (Underwood).	Population.	Per capita tax.
Agricultural products and provisions..	\$24,521,305	106,418,175	\$0.23
Sugar.....	79,536,137	.....	.75
Total.....	104,057,442	.....	.98

Total: Customs receipts, \$325,645,565; per capita, \$3.01.

Articles.	Emergency bill, year ending June, 1922, estimated.	Population.	Per capita tax.
Agricultural products and provisions..	\$45,881,959	.....	\$0.43
Sugar.....	103,997,805	.....	.98
Total.....	149,879,764	.....	1.41

The estimated revenue to be derived from agricultural products and sugar under the McCumber bill is \$1.45 per capita.

The estimated total receipts under the McCumber bill is \$350,000,000, or \$3.29 per capita.

## ATTORNEY GENERAL DAUGHERTY.

Mr. STANLEY. Mr. President, thus far I have had nothing to say in the controversy in which the Attorney General of the United States has played a conspicuous part. It is a fact that men of his own party have made, deliberately made, grave and serious charges against the Hon. Harry M. Daugherty, of Ohio, and they have been made against him in his official capacity. On the floor of the House and of the Senate he has been repeatedly charged with offenses serious and revolting to every sense of honor and of patriotism.

Into the question of the truth or falsity of these charges I do not propose to enter in this brief digression from the tariff bill. There is, however, a phase of the situation which must be painful, if not humiliating, to every true and patriotic American citizen.

It is recalled that men who have laid aside the honors and the emoluments of the highest office save one the American people can confer, and have gone out to do and dare for their country, men of the same political faith as Mr. Daugherty, demand his impeachment. On the floor of the Senate still more serious charges are made.

No civilized country in the world, Mr. President, hesitates to shoot on sight a ghoul in time of war. Instant death awaits the wretch who invades a battle field to rifle the bodies of the defenseless dead. He who runs his cadaverous fingers through the unprotected pockets of a dead soldier is not more a ghoul than the dollar-a-year man who rifles the Treasury of his country in the hour of need and peril.

He has been charged by men of his own party with using his high office as a fence for unpenitentiary profiteers.

It is said that a lion will turn and flee  
From a maid in the pride of her purity.

It is charged here, Mr. President, that those who despoil the honor of women in time of peace or betray their country in time of war command the good offices of the Attorney General; that no crime, however vile or repulsive, has failed to command his services as a common pardon broker. I do not make these charges; I am simply reviewing them.

Is it possible that we, in this day of bureaucracy, have reached the point, Mr. President, when the mere vesting a man with high authority renders him immune from criticism, that the law of lese majeste applies to a Cabinet officer? Is it not the duty of the President of the United States to demand of his official family that they stand like men and meet every aspersion upon their official integrity and on their personal honor? To my utter amazement—I say it in all kindness; I say it in sorrow rather than in anger—we find the President of the United States at one hour commending the patience of Lincoln under every form of traduction and slander, recalling to your mind and to mine the amazing tolerance of the great father of Democracy. On one occasion a visitor from Germany, seeing a foul and vicious libel published in a paper lying upon his library table, said, "I would have the man executed; I would have him thrown into prison"; but Jefferson replied, "The best proof of the freedom of our institutions is that he is at large. Take this paper back and read it to your king, and tell him that the President thus permits the freedom of speech and of the press of the United States of America"; and in the next, after this glowing tribute to the magnanimity of Lincoln, to my amazement—to my utter amazement—I behold this same President exerting the dread powers of his high office to stifle if not to muzzle the freedom of the press.

I quote from the Philadelphia Ledger, a Republican newspaper—and later I shall ask leave to incorporate the entire article in my remarks—

President Harding to-day took a two-fisted fling at "political blackguards!"

"Political blackguards!" Who are the "political blackguards" assailing the Attorney General? They are two Members of Congress, one of them, at least, and I think both, were the uniform of a soldier, and eminent Senators, representing sovereign States, ambassadors from two proud Commonwealths. Is it possible that the once genial, self-poised, courteous gentleman, occupying the White House could so far forget himself, in his desperate attempt to save a man who dares not shield himself; to speak for a man who dares not speak for himself? It is true. This Republican Party for the first time in nearly a hundred years to-day sees charge after charge hurled into the teeth of the chief law officer of the United States, and yet there are "none so poor to do him reverence," remembering the pathetic end of the Senator from Indiana [Mr. WATSON], they dare not speak in his defense, lest his subsequent confessions shall shame them. Will the President in his desperation, finding no other who dare to say a word for this discredited official, denounce as blackguards Senators who criticize the nefarious operations of a pardon broker who makes it a business, as it is charged at least, to deceive the Chief Magistrate of the United States in order that men may despoil women in time of peace and plunder the Treasury in time of war, and if one dares express his abhorrence of these unclean and abominable offenses he is a rascal and a blackguard?

It is said further by the Philadelphia Ledger:

Mr. Harding bitterly resents any such imputations against executive officers of the Government.

Executive officers of the Government!

He appears to resent no less the space given in newspapers "to the blackguarding of any rascal who gets up and makes charges."

In the President's view newspapermen and newspapers perform a public service by "putting on the brakes."

Think of it! The President of the United States has the power to make and unmake men. The Attorney General to-day, in a public interview, admonishes those who are seeking high judicial offices that some time ago the President agreed "with me" that in naming judges they ought to consult "us"—Harry M. Daugherty and Warren G. Harding, the President of the United States. Twenty-four judges are shortly to be named, and "You must consult us." That is given to the public. Why? As a notice to all who seek a place upon the bench, "Do not say anything about Daugherty, because Daugherty shadows the Representatives and Senators; Daugherty's sleuths are charged with framing up important witnesses, and Daugherty is not very apt to give his consent." "Us" will not consent to the naming of a judge who says anything about "us."

O God of battles and of war, is it possible? It is enough to send a shudder through the bronze heart of the Goddess of Liberty, now adorning the lofty dome of this Capitol.

Is the ermine to be besmirched by all the filth that now distains and dishonors the Department of Justice? And does the President mean to announce to the world that Daugherty must be consulted before he will name a judge, and that a Senator or a Representative is a rascal or a blackguard who dares assail him?

Then the President says the brakes must be put on the press. I say to the President of the United States this is not Austria; this is not Prussia; this is once free America. "Putting on the brakes" is the next thing to putting on a muzzle, and the statement is an implied threat to the press. Not the President nor Congress nor Senators nor judges shall shackle or abridge the freedom of the press in the United States while the first amendment of the Constitution is intact and there are men of wisdom and courage ready to defend and maintain it.

I ask permission to incorporate in the RECORD the article from the Philadelphia Ledger, to which I have referred, and also an article from the New York Tribune of to-day's issue, both orthodox Republican papers.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The articles referred to are as follows:

[From the Philadelphia Public Ledger of June 3, 1922.]

HARDING ASSAILS PUBLIC "SCOLDS"—PRESIDENT'S FLING AT TRADUCERS SEEN AS ATTACK ON CRITICS OF DAUGHERTY AND HOOVER—DEPLORES SENSATIONALISM—"POLITICAL BLACKGUARDS" GET TOO MUCH SPACE IN SOME NEWSPAPERS, HE BELIEVES.

(By Frederic William Wille. Copyright, 1922, by Public Ledger Co.)

PUBLIC LEDGER BUREAU,  
Washington, June 2.

President Harding to-day took a two-fisted fling at "political blackguards" who assail members of his administration. No names were mentioned, but it was the general impression that recent attacks on

Attorney General Daugherty and Secretary Hoover were in the President's mind.

Efforts to induce him to discuss the Daugherty case were futile. Mr. Harding indicated he did not feel called upon to dignify by any utterance of his own the accusations now raging around Mr. Daugherty's name in and out of Congress. Instead, the President expressed himself forcefully regarding that section of the American press which advertises the "outgivings of unknowing, unthinking, and unheeding men."

His observations were in the nature of an appeal to newspapers to eschew "sensational" exploitations of men who utilize their positions to "traduce" faithful public servants.

The President's observations, while evoked by an inquiry designed to secure an expression of the Daugherty affair, did not refer exclusively to it. They were called forth in part by the recent uncoth attacks on Herbert Hoover by Senator Watson, Democrat, of Georgia. Mr. Watson a few days ago attacked the Secretary of Commerce in relation to Russian relief funds. Mr. Harding bitterly resents any such imputations against executive officers of the Government. He appears to resent no less the space given in newspapers "to the blackguarding of any rascal who gets up and makes charges."

#### WOULD CURB SENSATIONALISTS.

In the President's view newspaper men and newspapers would perform a public service by "putting on the brakes" and by ceasing to glorify the mendacity of sensational windjammers, effectually rob them of their chief stock in trade—public advertisement. It is the White House conviction that front-page headlines and "boxes"—the President likes talking newspaper language—only "add to the unrest" when they are used to direct public attention to the vapors of mud slingers.

As an illustration of the unrecorded work of "unknown, unsung, and unheralded heroes"—in contrast to the prominence given to attacks on public servants—the President told of one of Herbert Hoover's relief workers in Russia who recently died of typhus. Mr. Harding said that brave young American "fell on the firing line of a generous civilization." The President has just written to the relief worker's mother, who has lost her last surviving son and support, a letter of cordial sympathy. It was evidently Mr. Harding's purpose to point out that while such national service usually goes untold and unappreciated in the public prints, no alleged misdemeanor besmirching the name of a high public official, if cried to the house-tops loud enough by a "political blackguard," is too unimportant to claim the notice of "the sensational press."

#### SECOND PLEA AS "EDITOR."

To-day was the second occasion since he was elected President that the editor of the Marion Daily Star has unburdened himself on the topic of journalistic ethics. The first time was in December, 1920, following the President's return from his ill-starred vacation trip to Texas. Addressing the assembled corps of Washington correspondents in the press gallery of the Senate, Mr. Harding mentioned that in December, 1919, he made a League of Nations speech in the Senate—"which was a good one, if I do say it myself."

Then he recalled and deplored the fact that, though his utterance dealt seriously with the burning topic of the moment, those few newspapers which dignified it with any attention at all gave it only a "stick."

Mr. Harding went on to soliloquize aloud that if instead of a reasoned address on the league he had called one of his senatorial colleagues a name, or indulged in fisticuffs, the news might have been "front paged" under "streamer" headlines.

It was in the same general sense that the President talked to-day. He spoke with uncommon candor and conveyed a distant impression that he is losing his patience with the kind of criticism now being leveled at his Attorney General and intimate political associate Harry M. Daugherty. The President probably also had in mind the unfounded innuendoes leveled in Congress a few weeks ago against John W. Weeks, Secretary of War, in connection with alleged profiteering in alien property transactions.

[From New York Tribune of June 3, 1922.]

RESIGN, PLEA OF CANDIDATES TO DAUGHERTY—REPUBLICAN CONGRESSMEN FEAR REACTION IN FALL ELECTIONS TO COURSE OF "POLITICAL STUPIDITY"—PRESIDENT RESENTS ATTACKS ON CABINET—BLAMES WASHINGTON CORRESPONDENTS FOR GIVING SO MUCH SPACE TO CRITICS. (By Carter Field.)

WASHINGTON, June 2.—Harry M. Daugherty's resignation would be a highly acceptable political present to most of the Republican Senators and Members of the House who are facing hard fights for reelection. This desire to be relieved of the embarrassment which attacks on Daugherty is causing the candidates is heard in conversations wherever a few of them get together.

At the same time it became known to-day that President Harding resents the attacks which are being made against members of his official family. This was made clear in a White House statement to-day.

#### SENATE MAY HEAR OF CONTRACTS.

Prospects that the investigation of war contracts proposed in the House of Representatives by the Woodruff-Johnson resolution, which was snuffed out in the House yesterday, would be revived in the Senate, with the backing of Senator GEORGE W. NORRIS, added materially to the irritation and to the desire that the cause of it be removed.

The fact that many of these same Republicans who are now anxious to see Mr. Daugherty get out believe that a mountain has been made of a molehill has nothing to do with the case. They do not accuse Mr. Daugherty of crookedness. Some of them do not even regard his alleged actions as reprehensible but as something incomparably worse—political stupidity.

Not only has Mr. Daugherty, they point out, hurt himself by his course, and not only is he hurting every Republican candidate for office this fall by having through it given the Democrats what they have made into a fine talking point, but there is the instance of Senator JAMES E. WATSON, of Indiana, who was pretty well left out on a limb as a result of his attempt to rush to the defense of a member of President Harding's Cabinet.

#### DEMOCRATS SEEKING ISSUES.

All this at a time, as one angry Republican points out, when the Democrats are terribly hard up for good issues on which to attempt to arouse the people. The constant harping on the Newberry case, they say, and the recent attempt of Senator PAT HARRISON to compare the expenditure of Gifford Pinchot and his wife in Pennsylvania to those of NEWBERRY in Michigan offer the best proof of this.

Mr. Daugherty, according to the Republicans who are irritated over the situation, has only himself to blame for the present attacks on him

in connection with the Morse case. Senator CARAWAY had no inside information when he began his drive on the Attorney General. His friends say that he was not even on a fishing expedition, but merely trying to get away with a partisan attack. He admitted on the floor that he had no proof and was talking entirely from hearsay.

The Attorney General maintained silence, but Senator WATSON, of Indiana, a strong friend of the administration, and generally regarded as an astute politician, did not like the political aspect of the situation. He called up the Attorney General. What was said may be left to the imagination, but at any rate Mr. WATSON seized the first opportune moment to make denial of Senator CARAWAY'S charges.

Twenty days later Mr. Daugherty admitted the Caraway accusation and repudiated the Watson defense. Mr. WATSON had this printed in the CONGRESSIONAL RECORD without comment. Six days later Mr. Daugherty decided to make public the details, giving his side of the case.

#### NONE RAGER TO DEFEND DAUGHERTY.

All of which leaves the Republicans in Congress guessing as to what Mr. Daugherty will do next. One thing is very certain. Not one of them is now going to rush in to Mr. Daugherty's defense when some new attack is made unless he has something definite to fall back on. In addition, the general desire is for each candidate to get his own campaign as separate and distinct from the Attorney General as possible, especially as Mr. Daugherty and Mr. NEWBERRY seem to be the chief issues of the Democrats so far.

It is conceded by Democrats as well as contended by Republicans that had Mr. Daugherty made a frank statement—such as he did make—immediately after Senator CARAWAY began his attacks, and without any seemingly authorized denials such as that made for the Attorney General by Senator JAMES E. WATSON, the whole thing would have blown over without attracting any great amount of public attention. Certainly there would have been little excuse for the Democrats to keep harping on it.

Whatever may come, however, the Republicans on Capitol Hill know Warren G. Harding well enough to know that he is not going to make a Jonah out of Mr. Daugherty. Mr. Harding doesn't throw his friends overboard, even when the crew think such an act will change the luck or the weather. The President is distressed over the criticisms being hurled at his old friend Daugherty, but while he may think Mr. Daugherty has handled the publicity badly and been caught in a bad trap by the common political enemy, he intends to stand by him.

#### HARDING STANDS BY FRIEND.

If Mr. Daugherty should resign, which as a matter of fact would surprise most observers here, the President, so far from feeling a sense of political relief, will actually be greatly concerned. This is not, as has been frequently stated of late, because of a sense of gratitude to Mr. Daugherty for what the Attorney General did during the preconvention campaign of 1920. As a matter of fact, Harding had before him pretty good evidence during that campaign that he could make better progress if he would not make Mr. Daugherty his campaign manager. He will not throw him overboard now for the same reason that he did not throw him overboard when Daugherty's enemies in Ohio begged him to in 1920. The reason is simply and solely that Warren Harding does not throw his old friends overboard.

It was Senator TOM WATSON'S denunciation of Herbert Hoover that brought the White House statement to-day, but it served to call up the whole series of recent events which have given rise to curiosity as to how Mr. Harding's well-known urbanity is withstanding the constant assaults upon his Cabinet officers. And it was made evident at the executive offices, while the White House gardens were enveloped in rainy gloom, and while beyond at the Capitol new vituperation was being heaped upon Attorney General Daugherty, that the President was thoroughly vexed.

His speech Tuesday at the Lincoln Memorial dedication, when he dwelt at length upon Lincoln's fortitude under criticism, had no special significance, as applied to Mr. Harding's own tribulations, according to the White House spokesman, nor did the President wish to deal with the attacks which were being made upon members of the Cabinet. Yet it was represented to be Mr. Harding's wish to speak frankly what was in his heart concerning certain matters.

#### HARDING CRITICIZES PRESS.

Then, while the protest was at its climax of feeling, the White House spokesman declared that Mr. Harding felt, as one who understood the workings of the press, that he was warranted in directing criticism at the Washington newspaper men. The trouble with them, it was declared, was that they gave too much space to the critics.

That, it was said, was all wrong. That was not helping to better the world. Why, it was asked, should they not devote their attention to things worth while and cease to encourage those who criticize unjustly and who belittle those undertakings which represent a sincere desire to achieve better conditions?

President Harding, it was asserted feelingly, was sensitive about some of these things.

#### CONDITION OF THE ARMENIAN PEOPLE.

Mr. ASHURST. Mr. President, I ask the Secretary to read some letters in the nature of petitions. They are brief and relate to the rumor or announcement emanating from various chancelleries to the effect that the Armenian people are to be delivered over to the Turk.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The reading clerk read as follows:

DOUGLAS, ARIZ., May 26, 1922.

Hon. HENRY F. ASHURST,

United States Senate Chamber, Washington, D. C.

MOST HONORABLE SIR: I have recently heard with great distress that there is a plan on foot by the allied powers to return the long-suffering Armenians to the hands of the unspeakable Turk. To me this is unthinkable. My whole nature revolts at the suggestion, and I believe it will be so to the soul of every true American.

I humbly beseech you to use your good offices to have our Government to exert every possible influence to protect the present and future interests of this heroic and worthy people, and, above all, to save them from the murderous hand of the Turk.

I believe I am expressing the feeling of my people here at Douglas and of the Presbyterians of our State.

Most respectfully yours,

C. A. FOREMAN,  
Pastor Presbyterian Church.



MINISTERIAL ASSOCIATION,  
Douglas, Ariz., May 27, 1922.

Mr. HENRY F. ASHURST,  
United States Senate, Washington, D. C.

HONORABLE AND DEAR SIR: At a meeting of the Ministerial Association of Douglas, Ariz., the following resolution was unanimously adopted:

"That we are opposed to intrusting the Armenians to the sovereignty of the Turk, and plead that your influence be used to assure a protected country in the interest of the Armenians."

Sincerely yours,

WILBUR FISK, President.  
S. F. FRASER, Clerk.

MESA, ARIZ., May 29, 1922.

Hon. HENRY F. ASHURST,  
United States Senate, Washington, D. C.

DEAR SIR: Whereas the Armenians were one of our allies in the late war and fought for its ideals; and

Whereas in consequence of their loyalty they suffered untold persecution, almost to the extent of annihilation; and

Whereas the Allies, as well as our own country, pledged them a safe area for themselves and their children; and

Whereas the American public has given millions of dollars to save the remnant of this shattered race; and

Whereas the allied powers are preparing a treaty with the Turkish nationalists which threatens to return the Armenians to unrestricted Turkish control: Therefore be it

Resolved, That we, the members and friends of the First Baptist Church of Mesa, Ariz., here assembled, express our strong sentiment and horror at the thought of exposing the Armenians to further suffering and persecution; and be it also

Resolved, That we are opposed to intrusting the Armenians to the sovereignty of the Turk; and be it further

Resolved, That we unitedly and earnestly petition you as our Senator to use every means within your power to give the Armenians a protected country.

THE FIRST BAPTIST CHURCH OF MESA, ARIZ.,  
By F. E. HAWES, Minister.  
ROYAL H. WHITAKER, Church Clerk.

Mr. ASHURST. Mr. President, in presenting these letters—and doubtless I shall have occasion later to present more of the same tenor—I do so from a sense of duty, and for the additional reasons that their sentiments meet my views entirely. It is shocking to any humane person to think that the Armenians may be delivered over to the Turk. Armenia was evangelized in the year 33 A. D. by Apostles fresh from the company and memory of our Lord, and Armenia has stood the storm of centuries. It is frightful to contemplate that these people shall be further exploited by the barbarous and murderous Turk.

In causing these letters, in the form of petitions, to be read, I do so in the hope that they may in some way reach and influence the various chancelleries contemplating any action, and I hope that protests will come not only from Arizona but from every other part of the United States against delivering to the Turk a mandate or any authority over the Armenians.

Mr. KING. Mr. President, I am glad the Senator from Arizona [Mr. ASHURST] has called attention to conditions in Turkey and to the barbarous treatment which is now being accorded to the Armenian race and to all the Christian population within the borders of the Angora Government. I have upon a number of occasions offered resolutions challenging attention to the brutalities and barbarities of the Turks and to their evident determination to exterminate all Christian peoples within the boundaries of the Turkish Empire in Asia. These resolutions have not received the support of Congress, nor are they receiving the approval of the present administration.

One of the resolutions asked that the President of the United States use his good offices to induce the allied nations to enforce the treaty of Sevres and protect the Armenian race and the Hellenic people of Asia Minor from further atrocities and from the exterminating policy of the Turks. I regret no action has been taken by the Foreign Relations Committee to which the resolution was sent. Nor has the State Department or the President taken any steps to show the sympathy of the United States for the suffering and unfortunate people, or to indicate that the United States views with abhorrence the wicked and cruel course pursued by the Kemalist régime.

Mr. President, I shall offer another resolution—one which, it seems to me, should promptly be adopted. I have diluted it to the point of extreme weakness. Even those who are afraid of speaking for the fallen and the weak, or entangling the United States in the affairs of other nations, can find no pretext, in my opinion, for refusing assent to such resolution. It is as follows:

Senate Resolution 300.

Whereas the Government of the United States has recognized Armenia as a free and independent state; and

Whereas the Government and people of the United States have a special concern for the political independence and territorial integrity of Armenia and for the welfare and security of the Armenian people: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Government of the United States can not regard with indifference attempts or projects to oppress the Armenian people or to deprive the Republic of Armenia of its status as a free and independent state.

Mr. President, this resolution may be considered innocuous. I concede that it fails to express what I think should be stated by the Senate of the United States, or to declare a policy that I think should be pursued by this Republic in dealing with the Armenian situation. However, the resolutions which I have heretofore offered, and which do call for a more vigorous policy, have not met with the approval of the administration, nor have they been reported from the Committee on Foreign Relations. Indeed, I do not think, no matter what the individual opinions of the members of the committee may be, that an affirmative report will be had with respect to either of them.

In offering this resolution I am not abandoning the former ones, nor taking the position that a less vigorous policy should be pursued than that suggested in former resolutions. Indeed, Mr. President, I feel that this Republic should announce to Turkey and to the allied nations and to the world that it does have a profound interest in the Republic of Armenia and in the enforcement of the provisions of the Sevres treaty, and that it looks with abhorrence upon the cruel and sanguinary acts of the Ottoman Turks and their policy of exterminating not only the Armenians but the Christian minorities found within Anatolia and territory under the control of the Ottoman Turks.

In my opinion the President of the United States could with propriety suggest to our former allies that they enforce the terms of the Sevres treaty and effectually act to protect the Armenian people from destruction. The Turks were our enemies, and though we did not declare war against Turkey, nevertheless it was a belligerent, as much so as was Austria. The Turkish armies were arrayed against the military forces with which our Nation was allied, and they were aiding our enemies, though, perhaps, none of the Turkish military forces came into direct contact with the armies of the United States. While we did not participate in the Sevres treaty, we are interested in its terms and can not, in my opinion, look with indifference or apathy upon the course of the nations parties to the treaty, even though the United States was not a signatory to the same.

The Armenians and the Greeks fought for the same cause for which our soldiers fought. It was announced repeatedly by officials of the United States, as well as by the allied Governments, that with the termination of the war and the triumph of the allied cause, the Armenian race should be protected and the Armenian people should have a Government of their own.

The Armenian troops bravely fought upon a hundred battle fields against the Turks and against the forces of the Central Empires. When Russia withdrew from the contest the heroic Armenian troops held the Caucasian front for many long and weary months against the Turkish armies led by German officers and aided in every way possible by the Central Powers. Their brave and heroic resistance prevented the Turkish forces from entering the oil fields of Baku, and this reacted to the advantage of the allied forces, including the American troops, upon the western front.

Ludendorff, in his Memoirs, declares that the failure to obtain oil from the region of the Caspian Sea contributed to the defeat of the Central Empires. The Armenian troops and the Syrian troops fought bravely in Palestine and Syria and materially contributed to the successes which came to General Allenby and to French armies in the Levant. Armenians from the United States were found fighting upon many battle fronts, and their blood was shed not only in behalf of the redemption of their native land but to preserve this Republic and the cause of civilization.

And the gallant Greeks also gave their lives fighting against the Turks and the Bulgarians and the Central Empires. We have not appreciated the heroic sacrifices made by the Hellenic peoples, by the Syrians, and by the Armenians. We have not understood the martyrdom which has come to them, and now, when the war is over, we close our eyes to the atrocities and cruelties perpetrated by the Ottoman Turks upon the Christian minorities in Asia Minor, in Syria, in Armenia, and in those communities where the Turks are found to be in the majority. The soil of Anatolia has been reddened by the blood of hundreds of thousands of Armenians and Pontian Greeks. Even now the Kemalist forces are murdering and butchering men, women, and children who have been driven from their homes along the southern borders of the Black Sea, and from Cilicia and from the vilayets which constituted the Republic of Armenia. The bloodthirsty Turks have determined to exterminate the Armenians and to destroy the Christian population inhabiting the littoral of the Black Sea, the Smyrna district, Cilicia, the Turkish vilayets of Armenia, and, indeed, all who reside in any part of Anatolia. More than a million Armenians were murdered by the Turks, led by Germans, during the war, and

tens of thousands have been deported and slain by these fiends since the armistice was signed.

The allied nations are doing nothing to protect Armenia nor to enforce the treaty of Sevres; indeed, France and Italy have furnished munitions of war to the Kemalists forces; who have turned their weapons upon the Christian peoples, and have thus contributed to their martyrdom.

I repeat, this resolution which I have offered is somewhat enemic. It is the least that we could say. It should be unanimously agreed to in the Senate. In drafting it I have drawn largely from a communication addressed by Daniel Webster, when Secretary of State, to our minister to Great Britain, regarding Liberia, and also a note addressed by John Hay, when Secretary of State, to our ambassador to France, which also related to Liberia. Mr. Webster's note is as follows:

This Government regards Liberia as occupying a peculiar position, and as possessing peculiar claims to the friendly consideration of all Christian powers; that this Government will be at all times prepared to interpose its good offices to prevent any encroachment by Liberia upon any just right of any nation; and that it would be very unwilling to see it despoiled of its territory rightfully acquired, or improperly restrained in the exercise of its necessary rights and powers.

Mr. Hay's note is as follows:

The Government of the United States having recognized Liberia feels that it has a peculiar interest in its citizens and could not be justified in regarding with indifference any attempt to oppress them or deprive them of their independence.

Are we less concerned for two or three million Christians in Asia Minor than we were in the Government of Liberia? If there was not violation of international proprieties in speaking for Liberia, shall it be said that it is improper to speak for Armenia and the Greek and Syrian people, who are threatened with destruction?

I have stated the United States has recognized Armenia as an independent nation. President Wilson was selected by our former allies to aid in delimiting the boundaries of the Armenian Republic. He accepted the trust, and, after making full investigation, reported, fixing the western boundaries of Armenia. His action was approved by the powers, as well as by the Armenian people. The Armenian Republic was organized as a nation and had an area of 26,491 square miles. As a matter of fact, when first organized, its area was 42,000 square miles. There are now more than a million and a quarter of Armenians within the boundaries of the republic. So far as I can ascertain, there are in what is called Turkish Armenia and Russian Armenia approximately 2,250,000 Armenians. Those in Turkish Armenia are being deported and butchered, and unless the Christian nations of the world interpose for their preservation the Ottoman Turks and the Kurds will sooner or later destroy them.

Mr. President, I offer another resolution which, after being read, I ask to be referred to the Committee on Foreign Relations. The resolution is as follows:

Senate Resolution 301.

Whereas the systematic deportations, murders, and outrages which have been continuously practiced against the Christian minorities in Anatolia and within the boundaries of the Armenian Republic by the so-called Kemalist Government, having its seat at Angora, have recently been confirmed in reports made by American citizens engaged in relief work in Anatolia, which reports have been published in Great Britain and in the United States, and have received the official notice of the British Government; and

Whereas such reports indicate that it is the purpose of said Kemalist Government to continue such systematic deportations, murders, and outrages as a nationalist policy; and

Whereas on or about the 12th of May, ultimo, the British Government dispatched to the Government of the United States a suggestion and invitation that the American high commissioner at Constantinople be authorized and instructed to act in conjunction with the high commissioners of Great Britain and the other powers in Constantinople to conduct an investigation of the atrocities and outrages which have been committed upon Christian minorities in Anatolia by and under the authority of said Kemalist Government; and

Whereas such investigation is necessary in order to authoritatively establish the facts and to prepare and arrange adequate measures against the recurrence of such outrages, for the protection of the Christian minorities in Anatolia, for the rectification of the sanguinary and intolerable conditions which exist in Anatolia, and for the general pacification of Anatolia: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Government of the United States should accept the said invitation of the British Government and authorize the American high commissioner at Constantinople, by himself and through competent deputies, to act in conjunction with the high commissioners of Great Britain and the other powers, to investigate outrages and atrocities committed against the Christian minorities in Anatolia and other places where the Ottoman Turks are found, and to ascertain the facts and determine the responsibility therefor, as the basis for the formulation of adequate measures for the prevention of the recurrence of such atrocities, for the protection of such Christian minorities, and the pacification of Anatolia.

Mr. President, I have in my hand the London Times under date of May 16, 1923. The subject to which I am now calling attention was brought before the House of Commons for con-

sideration, and Mr. Chamberlain, replying to Mr. T. P. O'Connor, stated:

Confirmation has been received of the statements contained in the recent report to Major Yowell—

Major Yowell, as I understand, was an American—

to which, I presume, the honorable member refers. With the permission of the House I will read out two telegrams from His Majesty's high commissioner at Constantinople on the subject, dated May 10. The first runs:

"I have interviewed at great length Doctor Ward"—

Doctor Ward, as Senators know, is an American. He is now en route for the United States. He was deported by the Turks, and he has given evidence to the people in Constantinople, and his reports have been in part published in the United States of the atrocities which had been and were being committed by the Turks, and the probable annihilation of the Armenians in various sections of Anatolia and the Armenian Republic, as well as the destruction of thousands and hundreds of thousands of the Greeks who resided upon the southern borders of the Black Sea.

Let me add that centuries before the Christian era Hellenic peoples settled upon the southern borders of the Black Sea, and during all the years intervening they and their descendants have maintained their Hellenic culture and ideals.

I will continue reading from the Times:

I have interviewed at great length Doctor Ward, of Near Eastern Relief Commission, who had just arrived from Kharput, which he left March 15. He corroborates statements as to treatment of minorities contained in telegram from Constantinople published in the Times of May 5. The Turks appear to be working on a deliberate plan to get rid of minorities. Their method has been to collect at Amasia Ottoman Greeks from region between Samsun and Trebizond. These Greeks are marched from Amasia via Tokat and Sivas as far as Caesarea, and then back again, until they are eventually sent through Kharput to the east. In this manner a large number of deportees die on the road from hardship and exposure. The Turks can say they did not actually kill these refugees, but a comparison may be instituted with the way in which the Turks formerly got rid of dogs at Constantinople, by landing them on an island where they died of hunger and thirst. Large numbers of deportees who were being sent to Van and Bitlis passed through Kharput between June and December last year. Now that spring has come these deportations have begun again. Once these gangs have passed Diarbekir, which is the last American relief station, Americans lose all track of them, but Doctor Ward has little doubt that many deportees die in the mountains east of that place. Turks in preference choose winter weather for driving these deportees into mountains. American Near Eastern Relief was not allowed to shelter children whose parents had died on the road. These children were driven forward with other deportees. Doctor Ward himself last year in December counted 150 bodies on the road between Kharput and Malatia. A fellow worker saw and counted 1,500 bodies on the road to Kharput, and 2,000 deportees died on the road east of that place. Two-thirds of Greek deportees are women and children.

At present fresh deportation outrages are starting in all parts of Asia Minor from northern seaports to southeastern district. Turkish official at head educational department at Kharput told Doctor Ward as an illustration of Turkish inefficiency that in 1915 Turks had not made a clean job of massacres. He said that next time Turks would take care to do their work thoroughly. Doctor Ward indorsed Signor Tuozi's statement of January last that deliberate policy of Turks is to exterminate minorities. He considers that they are accelerating their activities in this respect before peace settlement, and he stated that if action is not taken soon problem will be solved by disappearance of minorities. I am confirmed in my belief that the Turkish protests now being received in regard to alleged Greek excesses are designed to divert attention from Turkish atrocities. Another American of high character and standing, who came with Doctor Ward, states that Doctor Gibbon, formerly a professor at Robert College, who has just been visiting Greek front, and went into Turkish lines, reports that Greeks have behaved well in Afium Karahissar-Aidin sectors; also that Mussulman population seem quite content with Greek rule in these districts.

I shall not take the time of the Senate to read the second and third telegrams which appear here, but I ask that they, too, be inserted in the Record.

There being no objection, the telegrams were ordered to be printed in the Record, as follows:

[Second telegram.]

Further reliable information received from American relief workers, dated April 25, shows that whole Greek population from the age of 15 upward of Trebizond area and its hinterland is being deported, apparently to labor battalions at Erzerum, Kars, and Sarikamish. Since armistice proposal there has been marked recrudescence of these deportations, which are carried out in conditions of terrible hardship, and now embrace bank employees and others whose position had hitherto exempted them. There are numbers of Christian women and children in deplorable straits in Trebizond, who have been driven out of their villages. I have also received other reports, dating back to September, 1921, of deportations of Armenians from Zeitum.

[Third telegram.]

Information reported by you as received in the main from an American relief worker reveals such an appalling tale of barbarity and cruelty now being practiced by the Angora Turks as part of a systematic policy for the extermination of Christian minorities in Asia Minor that His Majesty's Government, who have in the proposed terms of peace assumed a serious responsibility for the future protection of these minorities, can not allow such reports to remain uninvestigated or such incidents to continue unchecked. I am informing the French, Italian, and American ambassadors of our opinion, with a view to securing their cooperation in action which I now propose, and I am requesting them to ask their Governments to send instructions to their high commissioners at Constantinople to act in concert with you. My proposal (this is a telegram, Mr. Chamberlain explained, from the secretary of



state for foreign affairs) is that each of these four powers should at once depute a carefully selected officer to proceed to Trebizond, or whatever Black Sea port may be suitable, with a view to proceeding to such places in the interior as may best enable them to make the necessary investigations. The permission of the Angora authorities will have to be sought and facilities demanded. It will be difficult for them to refuse these, since it is their contention either that the deportations and the massacres have not taken place or that they have been provoked by the conduct of the Greek and other minorities themselves. Should permission, nevertheless, be refused, His Majesty's Government will have to reconsider their entire attitude toward the peace proposals, which obviously could not be pursued with any chance of success in such conditions as I have described. It is inconceivable that Europe should agree to hand back to Turkish rule, without the most stringent guarantees, communities who would be liable to be treated in the manner described by competent American witnesses, whose reports, moreover, are confirmed by independent information in our possession.

Mr. KING. Doctor Ward and a number of Americans have recently been deported by the Turks from Armenia, where they were witnesses of the cruelties and barbarities committed by the Turks upon the Armenian and Christian minorities. Permit me to state that the barbarous treatment and the exterminating policies are not confined to Armenia. As Senators know, Anatolia consists of that great stretch of territory bounded upon the north by the Black Sea, upon the south by the Mediterranean Sea, and upon the east by what may be denominated the Mesopotamian region. Syria also borders it upon the southeast. On the west it overlooks the Bosphorus and Constantinople. Within the Smyrna district there were, at the end of the war, nearly a million Greeks. In what might be called Pontian Greece, bordering the northeast, there were more than three-quarters of a million of the Hellenic race. In Syria there were hundreds of thousands of Syrian Christians, and in eastern Anatolia, or Turkish Armenia, there were, as I have stated, hundreds of thousands of Armenians.

When the French troops withdrew from Cilicia, thousands of Armenians who were there gathered were murdered. It has not been definitely determined how many of the Greeks were driven from Pontus and how many have been killed, but we know that of the three-quarters of a million Greeks who inhabited the littoral of the North Sea the great majority have been driven from their homes and hundreds of thousands have been killed. Hundreds of towns have been burned and ruin and desolation have followed in the wake of the cruel and advancing hordes of Ottoman Turks. Pontus was Hellenic rather than Turkish, but nevertheless it has been subject to Turkish rule for several hundred years. Nearly 1,000 years B. C. representatives of the Hellenic race settled upon the southern borders of the Black Sea and founded a Greek State. Their descendants have since that time occupied that extensive district, perhaps five or six hundred miles easterly and westerly and extending from the Black Sea into the interior for varying distances. From that time until the present they there preserved Greek culture and resisted with great heroism the hordes of Tartars and Turks and Asiatics as they advanced, during the centuries that passed, in their westward march.

When they were overcome by the force of numbers, they still maintained their traditions, their language, their religion, their culture; and because of their superior intellectual powers and their superior civilization the Turks have now determined upon their destruction. Accordingly, as I have stated, they have, since the armistice, pursued a policy looking to the extermination of this heroic people.

The Turks, as I have stated, have determined to destroy the Greeks and the Armenians who inhabit Anatolia and Armenia. They are defying the allied nations, disregarding the terms of the treaty of Sevres, and continuing their barbarous policy of extermination.

Shall nothing be done by the Christian nations of the world to preserve these peoples from destruction? Mr. President, while the blood of Christians is now being shed, this Nation does not even lift its voice in protest. I wish the Senate would lift its voice in solemn protest against the wicked and cruel course of Turkey. I wish this Republic would demand of the Kemalist Government that it cease its atrocities and conform its course to the dictates of justice and to the demands of civilization.

Mr. President, I ask that these two resolutions be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. That reference will be made.

ATTORNEY GENERAL DAUGHERTY.

Mr. WALSH of Montana. Mr. President, on April 7 I called to the attention of the Senate a memorandum addressed by Mr. Rush Holland, Assistant Attorney General, to his chief, the Attorney General of the United States, in which he spoke of nominations for judicial positions in the Hawaiian Islands. It is brief, and I read it at this time from the RECORD of the date mentioned:

#### MEMORANDUM FOR THE ATTORNEY GENERAL.

Hon. Robert Shingle, Republican national committeeman for the Territory of Hawaii, has recommended the appointment of Emil C. Peters, of Honolulu, to be chief justice of the Supreme Court of the Territory of Hawaii, vice James L. Coke, term expired. He also recommends Antonio M. Perry, of Honolulu, to be associate justice of the Supreme Court of the Territory of Hawaii, vice Samuel B. Kemp, term expired.

In addition to the recommendation of Mr. Shingle, the above-named gentlemen are recommended by the Republican central committee and by the bar association of the islands. This matter has been carefully gone into, and both Mr. Perry and Mr. Peters appear to be eminently qualified for the positions for which they are recommended, and their selection meets the approval of the large majority of the bar association and of the leading Republicans of the islands.

There is at present no Delegate from the islands. Prince Kalaniana'ole recently died and the election of his successor has not yet taken place. It is believed that if these nominations are made now that such action will materially aid the Republican candidate for Delegate. I recommend that the appointments be made.

Respectfully,

HOLLAND,  
Assistant Attorney General.

I believe that the ideals prevailing in the Department of Justice on April 7, or thereabouts, as evidenced by this letter, were quite generally condemned in this body upon both sides when attention was directed to the matter. To utilize the opportunity to make appointments to judicial positions for political ends seems such a prostitution of the judiciary as to call for universal reprehension.

We have not in anywise been advised, however, that any rebuke was administered to Mr. Holland for entertaining such sentiments as were expressed in the letter, or for penning the same. So far as I am advised, he still holds the place he occupied at the time the letter was penned, as Assistant Attorney General in charge of appointments.

I am pleased to note, however, from an address made on yesterday by the Attorney General, that very much higher ideals now prevail in that department, and I feel it due to the Attorney General to call attention to his present views on the matter of appointments to judicial positions, notwithstanding the fact that apparently the ideas of Mr. Holland had his approval at the time, since the letter was sent to him and the nominations were promptly transmitted to the Senate.

In an address delivered a few days ago to the Bar Association of the State of Illinois the Attorney General said:

The appointment of a Federal judge requires the most painstaking investigation of the men under consideration. In grading men, if there is no question as to their honesty and their ability, I would discount brains as a matter of fact 10 per cent for an additional 5 per cent of the right kind of courage.

It became, in my judgment, advisable upon a certain occasion to write a note to the President in connection with the appointment of a Federal judge. At the time the note was written I did not expect the letter would ever be published, but in connection with my visit upon this occasion I have the President's consent to make it public.

The letter was written on April 8, 1922, acknowledging the recommendation by a very distinguished gentleman of this country urging the appointment of certain men to the Federal bench in case additional judges were provided for. In this letter I said to the President:

#### APPOINTMENTS HARD TASK.

"You will hardly have a harder task than that of appointing the judges under the bill which recently passed the House and Senate and is now in conference, and I know that you are impressed with the importance of inquiring fully into the qualifications of every man before a decision is reached. I shall make no commitments of any kind that might in the least embarrass you or this department. I never commit myself to any appointment in this department which you are required to make without first giving you all the facts and conferring and co-operating with you.

"Because of the pride I have in this department and in the judiciary and my desire that this administration shall be credited with the appointment of judges of high standing, to the end that the judiciary shall stand for years as an example and a sustaining force in the Government, and because I feel that this department will stand or fall with the final decision in connection with these appointments, we must take sufficient time and make thorough investigation before committing ourselves to appointments.

"Senators and Representatives and political influences generally should be given to understand that they must not expect, as a matter of patronage, to dominate or dictate these appointments, and before they get immovably behind anybody we should be consulted."

I apprehend that, in view of these splendid sentiments just expressed by the Attorney General, he will promptly dismiss from the service Mr. Holland, who seems to entertain views quite at variance with those of the Attorney General.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 9344) providing for the appropriation of funds for acquiring additional water rights for Indians on the Crow Reservation, in Montana, whose lands are irrigable under the Two Leggings Irrigation Canal.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 10871) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1923,

and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon; and that Mr. ANTHONY, Mr. STAFFORD, and Mr. Sisson were appointed managers on the part of the House at the conference.

#### WAR DEPARTMENT APPROPRIATION.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10871) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1923, and for other purposes, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WADSWORTH. Mr. President, I move that the Senate insist upon its amendments, agree to the request of the other House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. WADSWORTH, Mr. JONES of Washington, Mr. SPENCER, Mr. HITCHCOCK, and Mr. HARRIS conferees on the part of the Senate.

#### REPAIRING AND RESTORING OF LEVEES ON THE MISSISSIPPI RIVER.

Mr. WARREN. From the Committee on Appropriations, I report back favorably without amendment the joint resolution (H. J. Res. 339) making available funds for repairing and restoring levees on the Mississippi River above Cairo, Ill. As it is an urgent matter, I ask unanimous consent for the immediate consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read as follows:

*Resolved, etc.,* That an amount, not exceeding \$100,000, of the funds authorized to be expended by Public Resolution No. 54, approved May 2, 1922, is hereby made available as an emergency fund to be expended by the Mississippi River Commission, under the direction of the Secretary of War, for repairing and restoring any levees on the Mississippi River above Cairo, Ill., which have been destroyed or seriously injured by the recent floods of the Mississippi River and which are not now within, but may, before June 15, 1922, be brought within, the provisions of the act entitled "An act to provide for the control of floods of the Mississippi River and of the Sacramento River, and for other purposes," approved March 1, 1917: *Provided*, That if the Mississippi River Commission finds that the levee or drainage district in which the broken levee is situated can not legally, by or before June 15, 1922, comply with section (b) of such act of March 1, 1917, the commission may accept, in this emergency, bonds of standing approved by it in amount sufficient to cover not less than one-third of the cost involved: *Provided further*, That nothing in this resolution shall be construed as authorizing a departure from the established practice of the commission except so far as may be necessary to permit the restoration of broken levees in districts which are willing but can not legally comply with said method of procedure in time to avoid another threatened overflow this year.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### REPORT OF PUBLIC BUILDINGS COMMISSION.

Mr. SMOOT. Mr. President, I shall not take more than a moment of the Senate's time. I merely desire to submit a report as the chairman of the Public Buildings Commission. That commission was created on March 1, 1919, and since its creation I have been making an annual report of its activities. I ask that the report which I now present for the last year be printed in the Record without reading.

The VICE PRESIDENT. Without objection, it is so ordered. The report is as follows:

#### REPORT OF THE PUBLIC BUILDINGS COMMISSION.

The Public Buildings Commission, created by the act of March 1, 1919, is charged with the control and allotment of space in buildings owned or rented by the Government in the District of Columbia, with certain exceptions. In creating the commission Congress was undoubtedly actuated by a desire to effect a reduction in the Government's enormous expenditures for the rental of office space in the District of Columbia. The commission has, therefore, kept this idea uppermost in mind in carrying on its work, and has adopted a policy of requiring the departments to vacate rented space whenever practicable. The following table, which shows the annual rental expenditures of the various departments three years ago as compared to the rentals being paid at this time, will show what has been accomplished:

Department.	Annual rental May 22, 1919.	Annual rental May 22, 1922.
Agriculture.....	\$190,910.00	\$148,189.96
Alien Property Custodian.....	31,200.00	
Bureau of Efficiency.....		
Civil Service Commission.....	16,875.00	16,875.00
Commerce.....	66,900.00	65,500.00
Court of Claims.....		
Court of Customs Appeals.....	7,000.00	7,000.00
Employees' Compensation Commission.....	3,600.00	
Federal Board for Vocational Education.....	6,400.00	
Federal Power Commission.....		
Federal Trade Commission.....	12,600.00	
General Accounting Office <sup>1</sup> .....		
Government Printing Office.....		

Department.	Annual rental May 22, 1919.	Annual rental May 22, 1922.
Grain Corporation.....		
Interdepartmental Social Hygiene Board.....		
Interior.....	\$23,000.00	
International Boundary Commission.....	2,040.00	
International Joint Commission.....	1,724.00	
Interstate Commerce Commission.....	72,058.04	\$72,058.04
Justice.....	36,000.00	36,000.00
Labor.....	58,363.60	24,000.00
National Advisory Committee for Aeronautics.....		
Panama Canal Office.....	7,500.00	
Post Office.....		
Public Buildings and Grounds.....	88,988.00	
Railroad Administration <sup>2</sup> .....	210,105.56	
Shipping Board.....	5,600.00	
State.....		
Superintendent State, War, and Navy Buildings.....	11,000.00	
Treasury.....	174,839.00	146,550.00
Veterans' Bureau.....	111,797.08	29,700.00
War.....		
Total.....	1,135,897.28	545,873.00

<sup>1</sup> Rented buildings occupied by the General Accounting Office are being paid for out of appropriations for the Treasury Department.

<sup>2</sup> Rentals for buildings occupied by the Railroad Administration are now being paid by funds derived from operation of the railroads.

The difference between these two totals shows a saving to the Government in rental charges of \$590,024.28, to which will shortly be added the rental of \$49,500 now being paid for the Hooe Building, which will be vacated by the Treasury Department on the 1st of September. This will make a total saving in rental charges of \$639,524.28 annually, and will reduce the rental now being paid by the Government for office space in the District of Columbia to \$496,373. The commission has several other moves in view at this time which it is confidently believed will bring the annual expenditures for rental well under \$400,000 by the end of the present calendar year.

Two other savings of considerable size which the commission has been able to make are, first, the assignment of temporary building No. 2, Nineteenth and D Streets NW., to the Interstate Commerce Commission for the housing of certain field offices of the commission, which were occupying rented buildings in several cities at an annual cost of \$66,418.92. Second, the assignment of temporary building No. 7, Eighteenth and C Streets NW., to the War Department for the housing of certain troops on duty in Washington. Officials of the War Department estimate that utilization of the building in this manner effects a saving to the Government of \$175,000 annually in commutation of quarters and subsistence. This saving is of particular interest at this time in view of the proposal recently presented to Congress to acquire the sites of the temporary buildings west of Seventeenth Street. Temporary building No. 7 occupies one of the sites it is proposed to acquire. Estimating the life of the building at 10 years, which is conservative, it can readily be seen that the saving effected by the use of this one structure will in 10 years pay for the sites of all seven buildings and leave \$250,000 to spare.

Adding these items of \$66,418.92 and \$175,000 to \$590,024.28, which is the amount rentals in the District of Columbia have been reduced to date, it will be noted that the commission has been directly responsible for a reduction in the Government's annual expenditures amounting to \$831,443.20.

Another considerable item of saving, which has naturally resulted from giving up rented buildings, is the saving in maintenance charges. Many Government activities occupying rented quarters were expending almost as much for maintenance as for rent. In moving them into Government-owned buildings this charge was eliminated almost entirely, as they were moved into buildings already being maintained by the Government and it is a well-known fact that the cost of maintenance of a building varies only slightly whether that building be partially or fully occupied. That this saving alone amounts to several hundred thousand dollars annually is believed to be a very conservative estimate.

The commission has not found it necessary to employ large clerical forces in order to accomplish the above result and has but a single employee, the secretary. Of the initial appropriation of \$10,000, made more than three years ago, there is in the Treasury of the United States to-day an unexpended balance of \$1,084.10.

After three years' experience in dealing with the housing of the Government departments in this city, this commission is unanimously of the opinion that at the earliest practicable date Congress should adopt a building program which will lead to the housing of all Government departments in permanent fireproof structures. That the great Government of the United States should be a tenant in its own Capital City is certainly food for serious reflection, to say the least. Probably no other large government in the world has given so little thought to an adequate housing of its activities as this.

The kind of building best adapted to the needs of the Government is the modern office-type structure, designed with due regard for the safety, health, and comfort of the people who are to use it. To embark upon a program of building Greek temples for housing the Government departments is both foolish and unnecessary. These buildings are exceedingly expensive and wasteful of space.

A very illuminating example of a building of this type is the Treasury Annex No. 1, located on Pennsylvania Avenue at Madison Place.

Among the more urgent needs of the Government for new buildings at this time are:

#### AN ARCHIVES BUILDING.

The erection of a building for the storage of the records and archives of the Government is probably the most urgently needed building. Aside from the protection it would afford these records from fire, it would make available for office purposes many thousands of square feet of office space, now being used for storage in the various public buildings.

#### DEPARTMENT OF AGRICULTURE.

This department is probably the worst housed institution in the city of Washington. It is now occupying 25 buildings scattered over the city and many of them are poorly adapted for office purposes.



## GENERAL ACCOUNTING OFFICE.

The various divisions of this activity should by all means be housed under one roof. They are compelled to occupy several rented buildings at this time, in order to obtain fireproof space, which is very necessary in view of the character of their work.

## TREASURY DEPARTMENT.

The construction of a building for the Bureau of Internal Revenue and other outlying bureaus of the department is a most urgent need.

## THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Arkansas [Mr. ROBINSON] to the amendment proposed by the Senator from North Dakota [Mr. McCUMBER].

Mr. UNDERWOOD. May the amendment to the amendment be reported?

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. In the amendment proposed by the Senator from North Dakota [Mr. McCUMBER], the Senator from Arkansas [Mr. ROBINSON] moves to strike out "25" and to insert "10," so that if amended the part to be inserted would read:

PAR. 201. Bath brick, chrome brick, and fire brick, not specially provided for, 10 per cent ad valorem; magnesite brick, three-fourths of 1 cent per pound and 10 per cent ad valorem.

Mr. UNDERWOOD. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. HALE (when his name was called). I transfer my pair with the senior Senator from Tennessee [Mr. SHIELDS] to the junior Senator from Maryland [Mr. WELLER] and vote "nay."

Mr. HARRISON (when his name was called). I transfer my general pair with the Senator from West Virginia [Mr. ELKINS] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. WALSH of Montana (when his name was called). I have a general pair with the senior Senator from New Jersey [Mr. FRELINGHUYSEN], who is absent. I transfer that pair to the junior Senator from Massachusetts [Mr. WALSH] and vote "yea."

Mr. WARREN (when his name was called). I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN], which I transfer to the senior Senator from Pennsylvania [Mr. CROW] and vote "nay." I ask that this announcement of my pair and its transfer may stand for the day.

Mr. WATSON of Indiana (when his name was called). I transfer my general pair with the senior Senator from Mississippi [Mr. WILLIAMS] to the junior Senator from Oklahoma [Mr. HARRELD] and vote "nay."

The roll call was concluded.

Mr. BALL. I transfer my general pair with the senior Senator from Florida [Mr. FLETCHER] to the junior Senator from Ohio [Mr. WILLIS] and vote "nay."

Mr. NEW. I transfer my pair with the junior Senator from Tennessee [Mr. McKELLAR] to the junior Senator from South Dakota [Mr. NORBECK] and vote "nay."

Mr. DILLINGHAM. I have a general pair with the junior Senator from Virginia [Mr. GLASS]. In his absence, I transfer that pair to the junior Senator from Arizona [Mr. CAMERON] and vote "nay."

Mr. COLT. I transfer my general pair with the junior Senator from Florida [Mr. TRAMMELL] to the junior Senator from Oregon [Mr. STANFIELD] and vote "nay."

Mr. CURTIS. I desire to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Maine [Mr. FERNALD] with the Senator from New Mexico [Mr. JONES].

Mr. ROBINSON. I transfer my pair with the Senator from West Virginia [Mr. SUTHERLAND] to the Senator from Rhode Island [Mr. GERRY] and vote "yea."

The result was announced—yeas 21, nays 39, as follows:

## YEAS—21.

Ashurst	Hefflin	Robinson	Underwood
Caraway	King	Sheppard	Walsh, Mont.
Cummins	La Follette	Simmons	Watson, Ga.
Dial	Myers	Smith	
Harris	Ransdell	Stanley	
Harrison	Rawson	Swanson	

## NAYS—39.

Ball	Capper	Dillingham	Gooding
Broussard	Colt	Ernst	Hale
Calder	Curtis	France	Johnson

Jones, Wash.  
Kellogg  
Kendrick  
Keyes  
Ladd  
Lenroot  
Lodge

McCumber  
McKinley  
McLean  
McNary  
Moses  
New  
Newberry

Nicholson  
Oddie  
Page  
Pepper  
Phipps  
Poindexter  
Shortridge

Smoot  
Spencer  
Sterling  
Wadsworth  
Warren  
Watson, Ind.

## NOT VOTING—36.

Borah  
Brandegge  
Bursum  
Cameron  
Crow  
Culberson  
du Pont  
Edge  
Elkins

Fernald  
Fletcher  
Frelinghuysen  
Gerry  
Glass  
Harreld  
Hitchcock  
Jones, N. Mex.  
McCormick

McKellar  
Nelson  
Norbeck  
Norris  
Overman  
Owen  
Pittman  
Pomerene  
Reed

Shields  
Stanfield  
Sutherland  
Townsend  
Trammell  
Walsh, Mass.  
Weller  
Williams  
Willis

So Mr. ROBINSON's amendment to Mr. McCUMBER's amendment was rejected.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. McCUMBER].

Mr. WALSH of Montana. Mr. President, before voting on the amendment I desire to say a word in view of the renewal of the declaration on the part of the Senator from Idaho [Mr. GOODING] that the question before us is as to the integrity of the protective tariff system—a question of free trade on the one side and the protective tariff upon the other.

That view is not entertained uniformly, if it is indeed entertained generally, by the advocates of a protective tariff in this country. I have before me an editorial appearing yesterday morning in the Philadelphia North American. The Philadelphia North American, as everybody knows, is a Republican newspaper, and is issued from a State which has profited very widely and very largely by protective tariff, and issued from a city, Philadelphia, that might properly be spoken of as the very citadel of protection. This paper frankly declares that it is in favor of the protective principle and in favor of a protective tariff, but it is denouncing the measure now under consideration by the Senate, and denouncing it because of the high, excessive, and unjustifiable rates which Senators upon this side have been steadfastly protesting.

There are two particular features of the editorial to which I desire to invite attention, after I have read a portion of it. I shall not read it all, but shall ask that it be incorporated in full in the RECORD. After reciting the history of tariff legislation in a general way in this country and bringing the discussion down to the time of President Roosevelt, the editorial continues:

His conflicts with the reactionary Republican leaders, however, revived the issue, and public discontent with the excessive protection they had put into the tariff law impelled Taft, when a candidate in 1908, to pledge revision downward. After his election, nevertheless, he yielded to the reactionary bosses and signed the iniquitous Payne-Aldrich bill, which revised important schedules upward. The effect of this was that in 1910 the Republicans lost control of Congress, and in 1912 the party was repudiated.

The Democrats put in power as a result of the Republican split undertook to carry out their program of a low protective tariff, modified by removal of all duty from some products, and passed the Underwood bill in 1913. This measure proved so unpopular that in the natural course of events it would have led to Democratic defeat in 1916; but meanwhile the World War had begun, and the virtual cessation of foreign commerce made the act inoperative and removed the tariff issue temporarily from politics.

Returned to power in 1920, the Republican Party has at last undertaken the drafting of a tariff law of its own. In this action it is following precedent, and there is no reason to expect that the process which so often has led to a party's defeat has ceased to operate.

Almost before the votes of the 1920 presidential election had been counted the manufacturing interests began to press for a new tariff bill to meet their ideas of protection. Some of the demands came from manufacturers who had real reason to fear that the Underwood bill would enable large quantities of cheaply made European goods, held back by war conditions, to flow into the country. On the other hand, the most aggressive agitation has been promoted by interests which aim to repeat the old performance of getting the highest duties possible, not for legitimate protection against foreign competition, but as a shelter behind which to raise prices to the domestic consumer.

A contention which has repeatedly been made from this side of the Chamber, notably by the Senator from Alabama [Mr. UNDERWOOD] and the Senator from North Carolina [Mr. SIMMONS]. The editorial continues:

Because the situation in international trade demanded early action, the Republican leaders sought to meet the demands by passing an emergency tariff bill, postponing the enactment of a regular measure until conditions had become stabilized. Affairs in the industrial and commercial world are still far from normal, but the pressure upon the party leaders has been so strong that they have been forced to take up the hazardous task anyway. Moreover, the methods employed differ in no essential way from those used in framing former tariff measures, methods which so often proved disastrous to the party in power.

There are two factors in the present situation which are certain to be used by the exploiters in their efforts to get the kind of tariff they want.

First, the farmers demand protection for their products. Whereas in the past the agricultural interests, particularly those of the West, stood against the high tariff forces of the East, they are now so de-

terminated to get protection that they will make trades with the manufacturing interests. Second, costs of production abroad can not be accurately determined, and the American industries will take advantage of that fact and drive for the highest duties obtainable.

For these two reasons it is virtually certain that the new measure will set the rates higher than ever before. There is every indication, likewise, that the consumers will resent the scramble for plunder, and they have shown in the past that eventually they can make their protests painfully effective.

But the situation is complicated this time by still another factor, which is loaded with political and economic dynamite. Under the high tariffs of the past the United States was a debtor nation, and its export trade helped to meet its obligations abroad. Since the war, however, the United States has been the world's chief creditor nation. The balance of trade is billions of dollars in our favor, and besides Europe owes us more than \$11,000,000,000 for war loans and deferred interest. In attempts to equalize exchange European countries have sent us nearly all their gold and can not pay in that metal. The only alternative is for them to liquidate their obligations by sending goods, and the tariff bill being framed will set duties so high that European goods will virtually be shut out.

In other words, the United States must soon face the question whether it will cancel most of the \$11,000,000,000 of loans or lower the tariff wall so as to admit the European goods that would pay them. Upon the Republican Party, already burdened with a distrusted tariff, will fall the burden of convincing the people that they ought to cancel Europe's colossal indebtedness in order to maintain the high duties enacted.

This newspaper has been persistently optimistic and still is in that mood. It believes that the country is entering an era of prosperity. It is satisfied, moreover, that the Republican Party is the better fitted to carry on great constructive work, and it would regard the return of the Democratic Party to power as a national calamity. Nevertheless, as we contemplate the operation of the old, unscientific, logrolling methods of tariff legislation, we feel it would be uncandid not to acknowledge that we view the situation with concern for the Republican Party and for the Nation.

Mr. President, the protective policy as outlined by the Senator from Connecticut [Mr. McLEAN], for instance, and the Senator from Idaho [Mr. GOODING] has very many persuasive and taking and fetching features. The trouble about the matter is that whenever that policy is announced and is embodied in a measure looking to the imposition of duties with a view to the protection of so-called American industries it inevitably becomes a vicious logrolling measure. Senators from one State want a high protective duty upon certain articles. Senators from another State want high duties upon another article. So the thing goes. There is no hard and fast written agreement about the matter at all, but of course it is understood that there is a general understanding, "You support my duties and I will support yours." The vote in this body upon the measure clearly disclosed that condition of things.

Another thing, Mr. President, is that it invites the interests claiming protection to come here to Washington. They appear before the committees and appeal to them, representing one-sidedly their claim for high protective duties, and the consuming public generally are not heard in opposition. Take the item upon which we just voted, the matter of fire brick, produced in the State of Idaho. It is barely possible, I dare say, that some amount of that commodity will reach the great commercial cities upon the coast—Portland, Seattle, and Tacoma—and there come into competition possibly with brick, as suggested by the Senator from Idaho, that comes in ballast from Scotland. We put a duty upon fire brick at the suggestion of the Senator from Idaho, while the great people of those great cities, who must buy the brick at an increased price for the construction of homes, are not heard upon the proposition at all. There is no one to represent them.

Finally, Mr. President, it becomes perfectly obvious to everyone that the situation invites its utilization for political purposes. Great, powerful interests in the country come here represented by persuasive and adroit gentlemen and get what they ask from Republican Members of Congress, and it is the most natural thing in the world that they will be expected to return the favor and advantage when election time comes around.

So that, even though one may admit the wisdom of the principle stated in abstract terms, yet when it comes down to the actual application of the principle it becomes a matter of solicitude, as it seems to me, to everyone who is wedded to the principle at all to see that the duties are not such as are oppressive or exist, as stated by this able Republican newspaper, merely for the purpose of erecting a wall behind which the American producer can exact exorbitant prices from the American consumer without the peril of encountering opposition from abroad.

I ask that the editorial may be printed in the RECORD in full. There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the North American, Philadelphia, Friday, June 2, 1922.]

#### TARIFF PITFALLS.

Now that the Republican leaders are unable to hold back tariff legislation any longer, and it has become the dominant issue in Congress, it may be well to emphasize some facts and opinions which have behind them the weight of public acceptance.

The first is that a protective tariff is as essential to the business life of this Nation as food is to human existence. It is as much a specific for certain industrial ills as quinine is for malarial fever. But a protective tariff, in the same way as overeating or overdosing, aggravates maladies instead of curing them. The tariff treatment should be administered as scientifically and conscientiously as any powerful drug employed as a remedial agent. The history of the American tariff shows that while there have been instances of mishandling and abuse of the policy, on the whole, it has operated to the incalculable benefit of the country.

A second fact is that the century-old conflict between the theories of free trade and protection ended in America several years ago in favor of the latter principle. So long ago as 1894, leading Democrats in the Senate joined with the Republicans in opposing drastic reduction of duties; and the last tariff bill passed by the Democratic Party, although admitting a large number of products free, was, in fact, a protective measure. It may be said that the controversy was officially brought to a close when President Wilson sent a special message to Congress advising effective tariff protection for the American dyestuffs industry. To-day there is in Congress not a single outspoken advocate of free trade. Protection in principle is no longer a real issue between the Republican and Democratic Parties; the division is merely as to the extent of protection that shall be given.

Ever since the protective tariff policy was initiated by Alexander Hamilton, the greatest constructive statesman for the formative period of the Republic, it has been an important issue between two opposing schools of political thought. The economic structure of the country in Hamilton's time was almost wholly agricultural. He acted upon the belief that the United States would not be able to establish and maintain complete independence so long as it had to look to England for manufactured goods. He further held that this could not become a great and prosperous Nation until it had established an economic balance by developing its industrial capacities as well as its agricultural resources. Hamilton's Federalists, their Whig successors, and the Republican Party of the last 60 years have upheld the protectionist doctrine, while the Democratic Party, following the Jeffersonian tradition, stood until recent years for free trade or a tariff for revenue only. Throughout the entire period the tariff issue has been a factor in virtually every congressional and presidential contest. During the last 40 years, especially, it not only has influenced elections but repeatedly has driven one party or the other from power.

The Garfield-Arthur administration, for example, faced growing criticism of the existing high duties, and to meet this Congress in 1883 made a general revision of the tariff; but the changes did not satisfy the public, and in 1884 the Democrats won the Presidency for the first time since the Civil War. Cleveland inaugurated a vigorous assault upon the protective policy, and his party in the House prepared a bill embodying drastic reductions. Republican control of the Senate prevented legislation, and the issue dominated the 1888 campaign, in which Harrison defeated Cleveland.

The McKinley Act of 1890 embodied the idea of high protection, and two years later the administration was defeated, Cleveland being elected the second time, on a pledge of tariff reduction. The result was passage of the Wilson Act of 1894; but although this measure was so far from the Cleveland idea that he let it become a law without his signature, it enabled the Republicans to make protection a prominent issue in 1896, and the Democratic Party was overthrown again. In the following year the Dingley bill, with increased duties, was enacted. Thereafter the old controversy was obscured for a time, first by the Spanish-American War and then by the realignment over the policies inaugurated by Roosevelt during his seven years in the White House.

His conflicts with the reactionary Republican leaders, however, revived the issue, and public discontent with the excessive protection they had put into the tariff law impelled Taft, when a candidate in 1908, to pledge revision downward. After his election, nevertheless, he yielded to the reactionary bosses and signed the iniquitous Payne-Aldrich bill, which revised important schedules upward. The effect of this was that in 1910 the Republicans lost control of Congress, and in 1912 the party was repudiated.

The Democrats, put in power as a result of the Republican split, undertook to carry out their program of a low protective tariff, modified by removal of all duty from some products, and passed the Underwood bill in 1913. This measure proved so unpopular that in the natural course of events it would have led to Democratic defeat in 1916; but meanwhile the World War had begun, and the virtual cessation of foreign commerce made the act inoperative and removed the tariff issue temporarily from politics.

Returned to power in 1920, the Republican Party has at last undertaken the drafting of a tariff law of its own. In this action it is following precedent, and there is no reason to expect that the process which so often has led to a party's defeat has ceased to operate.

When a large majority of the American people came to accept the protective principle as a national policy the controversy over free trade as against tariff protection vanished as a legitimate political issue. From that time the question has been purely economic, a matter to be determined on the basis of facts and not of partisan tradition or theory. Intelligent advocates of the protective principle fought persistently for establishment of a permanent, nonpartisan tariff commission, empowered to determine from time to time the amount of protection which might legitimately be given to the various industries, the basic factor being the difference in the cost of production of foreign-made and American-made goods.

This demand derived great momentum when it was made a principal plank in the Progressive platform of 1912, and afterwards was adopted by both the Republican and Democratic Parties. Eventually a tariff commission was established, but before it had begun to function effectively the outbreak of the war stopped imports and at the same time provided an unlimited foreign market for American goods. Moreover, since the return of peace it has been impossible to apply the principles adopted, since the demoralization of European currencies and the chaotic conditions of foreign exchange prevent any sound comparison of production costs here and abroad.

Almost before the votes of the 1920 presidential election had been counted the manufacturing interests began to press for a new tariff bill to meet their ideas of protection. Some of the demands came from manufacturers who had real reason to fear that the Underwood bill would enable large quantities of cheaply made European goods, held back by war conditions, to flow into the country. On the other hand, the most aggressive agitation has been promoted by interests which aim to repeat the old performance of getting the highest duties possible, not for legitimate protection against foreign competition but as a shelter behind which to raise prices to the domestic consumer.

Because the situation in international trade demanded early action, the Republican leaders sought to meet the demands by passing an emer-



agency tariff bill, postponing the enactment of a regular measure until conditions had become stabilized. Affairs in the industrial and commercial world are still far from normal, but the pressure upon the party leaders has been so strong that they have been forced to take up the hazardous task anyway. Moreover, the methods employed differ in no essential way from those used in framing former tariff measures—methods which so often proved disastrous to the party in power.

There are two factors in the present situation which are certain to be used by the exploiters in their efforts to get the kind of tariff they want.

First, the farmers demand protection for their products. Whereas in the past the agricultural interests, particularly those of the West, stood against the high-tariff forces of the East, they are now so determined to get protection that they will make trades with the manufacturing interests. Second, costs of production abroad can not be accurately determined, and the American industries will take advantage of that fact and drive for the highest duties obtainable.

For these two reasons it is virtually certain that the new measure will set the rates higher than ever before. There is every indication, likewise, that the consumers will resent the scramble for plunder; and they have shown in the past that eventually they can make their protests painfully effective.

But the situation is complicated this time by still another factor, which is loaded with political and economic dynamite. Under the high tariffs of the past the United States was a debtor nation, and its export trade helped to meet its obligations abroad. Since the war, however, the United States has been the world's chief creditor nation. The balance of trade is billions of dollars in our favor, and, besides, Europe owes us more than \$11,000,000,000 for war loans and deferred interest. In attempts to equalize exchange European countries have sent us nearly all their gold, and can not pay in that metal. The only alternative is for them to liquidate their obligations by sending goods—and the tariff bill being framed will set duties so high that European goods will virtually be shut out.

In other words, the United States must soon face the question whether it will cancel most of the \$11,000,000,000 of loans or lower the tariff wall so as to admit the European goods that would pay them. Upon the Republican Party, already burdened with a distrusted tariff, will fall the burden of convincing the people that they ought to cancel Europe's colossal indebtedness in order to maintain the high duties enacted.

This newspaper has been persistently optimistic and still is in that mood. It believes that the country is entering an era of prosperity. It is satisfied, moreover, that the Republican Party is the better fitted to carry on great constructive work, and it would regard the return of the Democratic Party to power as a national calamity. Nevertheless, as we contemplate the operation of the old unscientific, log-rolling methods of tariff legislation, we feel it would be unbecoming not to acknowledge that we view the situation with concern for the Republican Party and for the Nation.

The VICE PRESIDENT. The question is upon agreeing to the amendment offered by the Senator from North Dakota.

The amendment was agreed to.

The VICE PRESIDENT. The Secretary will state the next amendment.

The ASSISTANT SECRETARY. The next amendment proposed by the Senator from North Dakota is, on page 217, after line 5, to insert a new paragraph to read as follows:

PAR. 1535a. Brick, not specially provided for: *Provided*, That if any country, dependency, province, or other subdivision of government imposes a duty on such brick imported from the United States, an equal duty shall be imposed upon such brick coming into the United States from such country.

Mr. McCUMBER. I wish to modify the amendment by adding after the word "country" a comma and the words "dependency, province, or other subdivision of government," so as to make the provision definite and certain.

The ASSISTANT SECRETARY. After the word "country," at the end of the proposed amendment, insert a comma and the words "dependency, province, or other subdivision of government."

Mr. UNDERWOOD. Mr. President, I have no objection to that. The Senator has a right to perfect his amendment.

Mr. President, the amendment having been perfected, I desire to move to strike out the proviso. Under the proposal of the chairman of the Finance Committee ordinary brick are seemingly taken from the tax list and placed on the free list and then a proviso is added that, for the time being, at least, establishes an embargo instead of a tax. If the amendment proposed by the chairman of the committee, representing the committee, merely placed common brick on the free list I should most gladly cooperate with him; but he adds the proviso to his motion to the effect that they shall not go on the free list so long as any other country imposes a tax on brick imported from this country.

The effect of the amendment, although seemingly it puts ordinary brick on the free list, will be that instead of putting a tax on such brick at the customhouse we are going to prohibit their importation from the only country in the world from which importations might be expected.

I realize what the proviso means. I have no doubt that some Senators in proposing it think that by imposing reciprocal duties on brick Canada may be induced to lower or eliminate her tariff duty on brick. I myself entertained a similar view 9 or 10 years ago, and in the present law there was an effort made to bring about reciprocity of trade by providing that we should reduce or eliminate our duties when the other country did likewise. As a matter of fact, practically all of those pro-

visions related to Canada; but the experience of 10 years has proven that they are ineffective; that they have not produced results.

I know of no more striking instance of that than the efforts that were made to bring about reciprocity in the trade in pulp wood, the raw material from which newsprint paper is made, in order to provide a necessary supply for the American press on which to print their newspapers. We put such provisions into the bill which is now the law in order to accomplish results of that kind, but they have proven ineffective; they have produced no results.

Everyone who is familiar with conditions in Canada, and will judge of the future with the light of the past staring him in the face, knows that the amendment which the Senator from North Dakota has just proposed will afford no relief whatever. The Senator is seemingly giving us bread, but in reality he hands us a stone, because by his amendment he makes the tariff wall higher than it was when bricks were left on the free list. The Senator now proposes to put bricks on the free list if Canada puts them on the free list, knowing that Canada will not reciprocate. Therefore his proposal in reality is to put an embargo on brick coming in from Canada, brick being one of the materials from which the homes in America must be built. Therefore I have moved to strike out the proviso. If that be done we may have some little competition, some little threat against a great monopoly which is preventing the building of homes in America; but that monopoly will rejoice and welcome with open arms the proposal of the Senator from North Dakota, knowing that instead of a tax behind which they may stand and exercise their powers of monopoly they are going to have a wall built over which nothing can come.

Mr. President, I am in favor of reciprocity in trade and commerce between the United States and Canada. The Senator from Idaho [Mr. GOODING] this morning justified his position in contending for a duty on brick by stating that Canada imposes a duty on brick imported from the United States. Of course, if we are to enact laws only for the interest of those who manufacture and are to have no regard for those who must consume, that argument may be sound; but to follow the argument to its logical conclusion, if our neighbors propose to raise a tax on food, then we must burden our consumers with a tax on food, no matter in what dire stress they may be for the necessities of life.

But I wish to answer the Senator's argument from another standpoint—not one of reason but one of fact. The contention is made that we must tax goods coming from Canada, because Canada taxes goods coming from the United States. Where does the responsibility lie—with the Canadians or with ourselves? At this good hour it lies under the dome of this Capitol, here in the United States Senate. More than 10 years ago a Republican President, realizing that there were no stronger bonds that might tie a people together than the bonds of commerce and trade, proposed a treaty or understanding with the Dominion of Canada under which we might have at least partial reciprocity in trade. His party was then in power in both branches of the Congress. He negotiated a treaty with Canada and submitted it to the Congress for ratification. A Republican Congress, wedded to the idol of protection, wedded to the belief that the only way a manufacturer could exist in this country was to build a prohibitive wall around the United States and allow nothing to come in that seriously affected him, regardless of the effect on the American people, defeated the proposal of their President. A few months afterwards, in response to the mandate of the American people, a Democratic majority took possession of the House of Representatives. The Republican President who proposed this reciprocal arrangement with Canada, whereby she should lower her gates to our commerce and we should lower our gates to hers, sent for me to come to the White House and asked, if he called an extra session of Congress, if the Democratic Party would pass a bill providing for reciprocal trade with Canada; and, after consulting my colleagues, I assured him that it would be done. The extra session of Congress was called. I introduced the bill, and it passed the Congress, was signed by the President, became the law of the land, and is now on the statute books.

Unfortunately, when the matter was submitted to the Canadian Parliament, Laurier, then Premier of Canada, went to the country on the proposal. Canada was not prepared for the issue, and on account of other issues being involved the opposition came into power, the Conservative Party, and no action was taken for nearly a decade as to reciprocal tariff duties. Then the reaction came. The Conservative Party lost control of the Parliament. It was dissolved, and they went to the country, and the Liberals, who favored reciprocity in trade be-

tween the United States and Canada, were returned to power by an overwhelming majority, and are in power to-day.

I know, because I talked to him personally in regard to the matter before he was selected as Premier of Canada, that the present leader of the Canadian Government favors reciprocity in trade relations between these countries. I know that he sent one of the ministers of his Government to Washington within the last few months to feel out the present administration as to whether they were willing to act under the law of the land, the law that never has been repealed, the law that has been on the statute books in favor of reciprocity with Canada for nearly 10 years, and join with Canada in a reciprocal treatment that would encourage the trade of both nations; and I have been told that this minister of the Canadian Government, their representative, was received with slight courtesy in Washington, and sent back to his home with the understanding that this administration will not recognize the principle of reciprocity between Canada and the United States, notwithstanding it is a law on the statute books.

If you really wanted Canada to reduce the tax on brick so that American brick could flow across the border and at certain points Canadian brick could come into this country and compete, your administration in an hour could vitalize the proposition, could make it a living entity, without waiting for the passage of this tariff bill; but you do not want it. You ordered the Canadian envoy home, you repudiated the action of a Republican President, and you spit upon the law of the land; so I say that when you add to this amendment, seemingly in favor of allowing brick to come into this country without a tax, a proviso that it shall not come in if Canada levies a tax against brick, you are putting a joker into this bill, you are sandbagging your own proposal by putting on it a proviso that means the erection of an embargo instead of a tax.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. UNDERWOOD. Yes; I yield.

Mr. LENROOT. I should like to ask the Senator whether it is not true that Canada was well satisfied with the Underwood law, and would be satisfied to-day but for the emergency tariff act, because under the Underwood law the rates upon imports from Canada were, as a rule, very much less than the rates imposed by Canada upon imports from the United States?

Mr. UNDERWOOD. I will say to the Senator candidly that when the present law, which the Senator calls the Underwood law, was passed, it was passed shortly after a bill was passed recognizing reciprocity between Canada and the United States; and with a view to encouraging reciprocity of trade and commerce between Canada and the United States I did not attempt, so far as I was concerned—and I think I can speak for the committee that sat with me and wrote the bill—to establish embargoes against Canadian trade.

I have often been charged with being a free trader, but I never have been a free trader. I do not believe in a protective tariff; I do not believe in embargoes against commerce; but I believe it is a convenient way to raise revenue to levy reasonable taxes at the customhouse that do not interfere with reasonable importations from abroad and do not place embargoes on trade, and I am more in favor of that proposition between the United States and Canada than any other country in the world.

The Canadians are our brothers in kin. Only recently they have been our brothers in arms. No country on this globe made greater sacrifice for the cause of the Allies than did the Canadian soldiers. Hundreds of thousands of American farmer boys crossed the line and builded their homes in Canada. As far as I am concerned, I would make the trade relations between this country and Canada as free and full as possible. I would tear down the impediments to trade. I would welcome the tying to this country of Canada, and the tying to Canada of the United States of America, by bonds of trade that would make us inseparable for the future, make us brothers in commerce, brothers in war, and brothers in kin.

Mr. McCUMBER. Mr. President, I can readily understand why one who believes in free trade can also be a sincere friend of the reciprocity agreement that was entered into between this country and Canada under President Taft; but I can not agree with the philosophy of the Senator from Alabama in his description of what that meant to the United States and to Canada, and whether that law is still alive.

Let us see the conditions.

President Taft presented his scheme for reciprocity with Canada, in which most of the agricultural products, which were the things the Canadians desired to get rid of, should come in competition with the agricultural products of the United States, while most of the manufactured products would be reasonably well taken care of. It seemed to touch the heart of the manufacturing section of the country, but it did not appeal to those

who believed in the principle of protection and not merely the selfish ideals of some of the protectionists.

That was submitted to one Republican Congress, and I think I did as much as any one Senator in battling against it. It was defeated; and then, as the Senator from Alabama says, the President of the United States consulted with the leader of the Democratic forces in the country. He made a mistake, I think, when he did that. I think he should have consulted with the Republicans rather than with the hereditary enemies of Republican principles; and, as the Senator from Alabama says, a coalition was made between a few of those who represented the manufacturing interests and the whole Democratic Party, and it was an unholy alliance which was strongly repudiated by the American people at the next election.

Mr. POMERENE. Mr. President—

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. McCUMBER. I yield, with pleasure.

Mr. POMERENE. The Senator has referred to those who believe in protection as opposing the Canadian reciprocity legislation.

Mr. McCUMBER. I said those who believe in protection as a principle, and not as a matter of local benefit.

Mr. POMERENE. I recognize that fact, but my recollection is that there were a very large number of Republicans who voted in favor of the reciprocity legislation. Does the Senator mean by his statement to say that the Republicans who voted for that reciprocity legislation were not protectionists?

Mr. McCUMBER. No, Mr. President; I stated that there was a certain element of the manufacturing interests, whose interests were not injured in any way, who joined in the movement for Canadian reciprocity, while what would be called to-day the farm bloc was earnestly against it.

It went over to the next session. The alliance was formed, and, as I remember it, with a solid Democratic vote in favor of it, and a few Republican votes on this side in favor of it, considerably in the minority upon this side, we passed the Canadian reciprocity pact. Then it was submitted to Canada, and it was submitted to the voters of Canada, and the voters turned it down.

I am not discussing whether they acted in accordance with their own interests or whether they were governed, as I believe they were, by what they considered a patriotic principle to stand by their own country and to develop it as a manufacturing country; but the fact is that it was repudiated by a vote of the Canadian people.

There was an offer on one side. The other side refused the offer, and refused it in the strongest way they could refuse it. It was an offer to take effect at the time it was passed, not 10 years thereafter, or 20 or 30 years thereafter. It was an offer, and the offer was refused. That ended it. The law, so far as it remained upon the statute books, was and is a dead letter. It is not a law to-day.

When the Democratic Party came into power, they did not recognize it. They immediately passed a tariff law as though we had never made an offer of that character. Then the Republican Party came into power again, and it recognizes that that was an offer, that the offer was refused, and that that was the end of the proposition.

The Senator says that a representative from Canada came down here and received scant courtesy, as he understands. On the contrary, the representative of the Canadian Government discussed the matter with me, asked candidly whether we regarded that law as an open offer still in existence, and I told him candidly that we did not. He came down to see whether there would be any possibility of renewing the reciprocity offer, and suggested that if it was offered again they would accept it, and I candidly informed him that it would not be offered again. That was courteous. He said that was the view he had gotten from everyone he had talked with upon the subject, that it would be useless for them to attempt at this time to renew the Canadian pact.

I do not think the argument which the Senator from Alabama makes, based upon the reciprocity agreement, is a very good one when you consider the result. One of the strongest elements of objection against the Taft administration throughout the United States was the Canadian reciprocal agreement. I do not say that there were not other matters which were taken into consideration, but that was the chief objection to his administration.

I know a great many people now claim that the only issue in the last campaign was the issue against a league of nations or an agreement with other nations. There were a great many issues which entered into the last campaign, and it would be unfair to say that any one of them was the only issue in that



campaign. There was a mighty big change in the vote from one side to the other, but it was not due to that alone, although it was an important feature in the dissatisfaction with the last administration.

Let us see whether the Senator from Alabama is entirely consistent. He says he believes in reciprocity, and I want the Senator's attention to this, if I may have it, because I want to place his own argument in the RECORD. The Senator says he believes in a reciprocal relation with Canada. Very well. If we say to Canada, "We will give you free trade in brick on condition that you give us free trade in brick," that would be a reciprocal arrangement, and the Senator believes in it. But if we say to Canada, "If you put 25 per cent ad valorem upon brick, then we will put 25 per cent on brick," that is not reciprocal, according to the Senator. What is the difference? The only difference is between a reciprocal tariff and a reciprocal free trade. They mean exactly the same thing.

Under the free trade we say to Canada that we will allow their brick to come in free just so long as they allow us to export brick to Canada free. Under the tariff reciprocal—and that is all it is—we say to Canada, "We will continue to levy a duty of 22½ per cent ad valorem just so long as you fix a duty of 22½ per cent ad valorem." They are both reciprocal. The one depends upon the other. The moment Canada takes off her 22½ per cent duty, off goes our 22½ per cent duty.

I think I would agree with the Senator from Alabama upon one element in this matter, and that is the idea of taking somebody else's tariff as a basis in fixing ours. I say most candidly that I do not like that method of making a tariff bill; but the majority of the committee always rules in determining what rate we shall fix upon any item, and while I must say it is perfectly fair in this instance, I do not think it would be a good policy to adopt that principle to any great extent. It is just as fair as a reciprocity proposition is fair, but we ought to levy our duties according to the needs of the country, especially if it is a protective duty, and that which we reserve to ourselves we ought to grant as a right to our neighbors.

Mr. POMERENE. Mr. President, my friend from North Dakota, always very frank and candid, said he did not like the method which was adopted, but he was overruled by the majority of the committee.

Mr. McCUMBER. I did not say I was overruled, but I stated that the majority ruled.

Mr. POMERENE. The Senator may put it in that way. Does not the Senator think, under those circumstances, that his colleagues on the floor of the Senate ought to have the benefit of his direct vote on that proposition, the same as in the committee?

Mr. McCUMBER. My direct vote is to sustain what we considered to be for the best interests, as the committee recommended. If it were a question of great importance, if it were important at all, I might reserve the right to take a different view. But we must act together on this side in putting a bill through, the same as Senators do on the other side.

Mr. POMERENE. They must act together, if they are going to put it through, I think that is true; but, in other words, the Senator's position, as I construe it, is that on the floor of the Senate he is willing to vote against his convictions as expressed by his vote in the committee.

Mr. McCUMBER. No, Mr. President; the Senator knows nothing about my vote in the committee.

Mr. POMERENE. I simply know what the Senator has said on the floor of the Senate.

Mr. McCUMBER. I said that the majority of the committee voted in this way, and I am not stating what was my vote or the vote of any other Senator. I think, so far as this particular item is concerned, the rate is fair. I am stating as a general proposition that I do not believe in the policy of fixing our tariffs on the basis adopted by some other country in fixing its tariff, and in that I think the Senator from Ohio will undoubtedly agree with me.

Mr. POMERENE. Of course, Mr. President, we should not be absolutely bound by what other countries do, I agree with the Senator; but I have regretted ever since the day of the defeat of the reciprocity pact that it was not adopted. I think we would be better off, and every element of society would be better off to-day.

Mr. McCUMBER. I know the Senator thinks that way, but I believe we would be immensely worse off. However, we will not stop to discuss that now.

The Senator from Alabama says that by allowing this tariff we do not afford relief against a monopoly. I want the Senator to stop and think of that for just a moment. You have free trade now, have you not? You have no relief against the monopoly, have you? The monopoly was formed under free trade; it

exists under free trade; and if it was formed and exists under free trade I do not believe the Senator thinks for a single moment that it is going to be continued by reason of charging for a few thousand brick which come over from Canada.

But if I understand it correctly, the monopoly has already been dissolved; a consent decree has been entered through the activity of the Attorney General. If that be true, then the monopoly which was created under free trade, which drew its breath of life under that benign policy, has gone out of existence by reason of the action of the law itself.

I want to read to the Senator a little statement from the Tariff Commission report. I have stated many times that this tariff will affect only a few localities along the Canadian border; that it will not affect in any degree the general price of brick throughout the United States. I want to substantiate that by the finding of the Tariff Commission.

Mr. POMERENE. Mr. President, the Senator said in this connection that it would not affect the price of brick except in a few localities.

Mr. McCUMBER. That was my statement.

Mr. POMERENE. Of course the Senator will concede that it will result in increasing the price of brick to the consumers of brick in those localities, will he not?

Mr. McCUMBER. It may. I assume that it probably will in those localities.

Mr. POMERENE. I think that is a more accurate statement.

Mr. McCUMBER. If Canada would just relieve from the 22½ per cent tax, we would have free brick on both sides. But this is what the Tariff Commission says:

Structural brick is the most important clay product manufactured in the United States. The production surpasses in value the total production of pottery and chinaware or of all other clay products. Suitable clays are widely distributed, and bricks are produced in every State and Territory except Hawaii and Alaska.

Now note:

The industry is local in character, very few bricks being shipped more than a few miles. Local demand is enormous near the large centers of population.

Now, that is correct. On account of the weight of the brick, as a rule it is shipped only a few miles.

Mr. CALDER. Mr. President—

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from North Dakota yield to the Senator from New York?

Mr. McCUMBER. I yield.

Mr. CALDER. I will state that all the common brick used for structural purposes in and about New York City come from points within 100 miles of that city. We have great brick plants on the Hudson River and along the Shrewsbury River and the Newark Bay section of New Jersey. Rarely, if ever, to my knowledge have brick come to that city on the railroad cars. They always come in on barges floated down the river or across the bay from New Jersey.

With the permission of the Senator, I may add that just now brick are higher than at almost any other period in the history of the article in and about New York. Last spring they sold at the wharf at about \$12 per 1,000, and now \$17 is being paid. That comes from the shortage of brick, due to one of two causes, either a premeditated effort upon the part of producers to limit the supply or else perhaps their neglect in estimating the amount needed.

We are having in New York to-day the greatest building boom the city has ever seen. We are using more brick than we ever used before. When the brick come to the wharf to-day they are so much in demand that those who need them are bidding for them. We have had a small shipment of brick from Denmark recently. Those brick are being imported—

Mr. POMERENE. How many of those brick came in?

Mr. CALDER. Only a few thousand; but they are being brought in for the purpose of determining whether or not they can be used to advantage and whether they can compete with our brick in the way of price. The freight charges on them from Denmark would be about \$4 a thousand. The price of the brick in Denmark is \$7 a thousand, which would make \$11 a thousand, plus the profit in the handling. If the price of domestic brick continues as at present, at the price now being asked, there is no doubt in my mind that more brick will come in from Denmark.

Mr. McCUMBER. Mr. President, about the imports of brick, this again is the finding of the Tariff Commission:

Imports of common brick are negligible and are confined to shipments from Canadian plants to points in the United States near the international boundary.

I think that is all I need to read from the Tariff Commission report. It is a matter which affects, as I stated before, a few Canadian brickkilns that manufacture a few thousand brick,

as against the American, right across the line. I admit that it is not important. It will not affect in any way the general price of brick throughout the United States, but it may possibly affect the price to some extent along the border on a few thousand brick that would be imported without the tariff duty.

Now, Mr. President, I want to say in addition to what I have said before that I regard the Canadian reciprocity pact as a dead letter in the law, for the reason that the offer was made and refused. The conditions have changed since. We have made new laws upon the subject on the assumption that it has been declined and that the offer is no longer extant; but to be certain that no one could claim that it was still in existence, we have inserted a special provision in the bill repealing it.

Mr. UNDERWOOD. Mr. President, I realized that the Senator was proposing to repeal a law which he says did not exist. That is why I did not interrupt the Senator in his argument, because I know it is very much more satisfactory to speak without interruption.

I stated in my argument that the responsibility for the lack of reciprocity and for the fact that Canada insisted on high duties against the commerce of the United States rested in this Chamber with the Republican Party, and it does. The Senator from North Dakota has admitted it. Of course he announces, with a sweep of his hand as if he were the law itself, that because Canada did not at once accept the proposal for reciprocity in trade which was made by the United States, that it was wiped out; that it does not exist; that it has gone. Well, Mr. President, it is a new way to repeal a law by the negative action of some person.

But, as I intended to point out, the Senator, as he has admitted, makes the argument that there is no reciprocity law existing. He says he told the minister of the Canadian Government that it no longer existed; but, as I intended to point out to him, which he admits, he thinks it so much a law, so much on the statute books, that he puts a clause within the borders of the bill to repeal it.

Of course the policy of the Republican Party is so much against reciprocity in trade that they are going to repeal an offer for reciprocity in trade, and the Senator is only admitting, more strongly than I could state the case, what I charged him with a moment ago, that the reason why we did not have reciprocity in trade, the reason why Canadian duties rested on American commerce, was because it is the policy of the Republican Party that the gates of commerce should be closed between this country and Canada. I am sure the Senator from North Dakota will not deny it. He pleads guilty to the charge in the items of this bill.

Now the Senator says that he, in part, is willing to have reciprocity and he evidences it by this clause in the bill, and asserts with much pride that although he repudiates reciprocity in trade by the terms of his bill repealing that law, that we authorize it now; that this is reciprocal trade; that this provision brings about reciprocity in trade, and we are only waiting for Canada to lower the door. The Senator knows as well as I do that we do not bring about reciprocity of trade on one item. An item that we want lowered going into Canada may be of no interest whatever to Canada or not of enough interest to cause her to lower her tariff rate, and that usually is the case. If Canada admits one of our products into her country, it is usually because of her goods not coming into our country and there being a balance of commerce on this side of the line for that particular article. Of course, if she is going to admit that article into her country, she wants some article from Canada to flow in here.

Mr. McCUMBER. Mr. President—

Mr. UNDERWOOD. I yield to the Senator from North Dakota.

Mr. McCUMBER. Will the Senator tell me why Canada refused the reciprocity offer?

Mr. UNDERWOOD. Canada refused it for many reasons. I will not say that Canada was not opposed to reciprocity in trade at that time, because I can not say it. I am willing to admit the record as it was made at that time. But the Senator knows that there were many other questions which drove the Laurier Liberal Party out of power, and returned the Conservative Party. The Senator knows that western Canada, made up largely of sons and descendants of American citizens, voted with the Conservatives and drove the Laurier government out of power. Yet those same men in western Canada to-day make up almost unitedly the majorities of the liberal government under Mackenzie King, the premier of that government. There has been an entire reversal of sentiment, and because the sentiment a few years ago was not willing to meet us is no

argument against our accepting the opportunity when sentiment in Canada has changed and we can make reciprocal trade an existing fact instead of a theory as the Senator would make it on brick.

The Senator knows we can not bring about reciprocal trade on one item. He knows it is absurd to contend that we can. More than that, we have contended here for hours about this schedule. It is not because the item is so great—

Mr. McCUMBER. Mr. President, may I ask the Senator another question?

Mr. UNDERWOOD. Certainly.

Mr. McCUMBER. If it is wicked to put it in this bill at this time, was not that principle equally wicked when the Senator put it in his bill on wood pulp in 1913?

Mr. UNDERWOOD. The Senator listens, but his ears are not open. Half an hour or an hour ago I answered that question, as the Senator would know if he had been listening to me, by stating that I had tried the same experiment in the law which is now on the statute books, because I was very anxious to produce a condition in reference to pulp wood, used as the raw product in the manufacture of paper, in order to give the great American press an opportunity to get its paper on reasonable terms. I tried the experiment and I said to the Senate in my opening statement that it failed. It did fail. Now I think that as it failed after I tried it I certainly would be unkind, when I see the Senator walking into a mistake of this kind, stumbling over impediments in his path, if I did not point out to him where they lay in the path so that he might avoid them in the future.

I admit that in quite a number of instances in the present law it was tried. Of course we tried it from the viewpoint that we hoped a general reciprocity treaty would soon be accepted by Canada, but it was not. The hour has come within the past few months, or within the year, when it can be accepted, but the Senator says himself that he told the emissary of the Canadian Government who called on him about it that he repudiated it, that it was lost, that it was only a temporary matter; that he told him the proposal was only temporary, and that he would not accept it now; and yet he thinks it is so temporary that it is necessary to repeal it from the statute books.

Mr. McCUMBER. If the Senator will allow me, I stated I wanted it repealed so that no one among the Canadians could claim that it was the law, simply to make absolutely certain a matter in which we might be in dispute ourselves.

Mr. UNDERWOOD. I do not contend that the party in power if it has the votes to do it can not repeal any law it wishes to repeal. I do not say that they have not the power, or that we are committed, morally or otherwise, to continue to carry out this agreement. If the party in power wishes to repudiate it, they have the right to repudiate it; and they are going to do it, as they proclaim in this bill; but I say the responsibility of repudiating it must rest with them. They can not contend that as to the little item of brick that they are proposing reciprocity with Canada when in fact they are trying to impose an embargo instead of a tax on the importation of brick.

The Senator from North Dakota said that the President 10 years ago was very unwise to consult with the Democratic leader, but I want to call to his attention the fact that at the time the reciprocity act was passed there were distinguished Senators on the Republican side of the Chamber who voted for the bill. Among them were the Senator from Connecticut [Mr. Brandegee], the Senator from Massachusetts [Mr. Lodge], Senator Penrose, of Pennsylvania, the Senator from Connecticut [Mr. McLean], Senator Crane, of Massachusetts, the Senator from Washington [Mr. Poindexter], Senator Root, of New York, and the Senator from Michigan [Mr. Townsend], and so on. The bill was not only supported by Democrats, but I have read a list of names of Senators who stood at the forefront of the Republican Party when the bill went through. It is now to be repudiated by being thrown out of the window and telling the envoy of a foreign Government before Congress acts, before it is known that there is a majority behind the proposal, he can go home, that because the arrangement was not accepted at once it is a dead letter.

Mr. President, I do not think the country will take that view of the question; but what I wish to point out is what this proviso will accomplish. It is proposed that brick shall be on the free list unless another country from which they may be imported levies a duty on bricks imported from the United States. There is nothing on the free list, as the Senator knows, except that which is expressly put on the free list; we shall have no dispute about that, and as bricks are not put on the free list, unless Canada by her affirmative action in



removing her tariff consents that the American people may bring in brick untaxed, bricks must be taxed at some rate.

Mr. McCUMBER. If I understand the Senator from Alabama correctly, I desire to say that I do not think he has carefully read the amendment. The committee propose, first, to place this paragraph under the free list items.

Mr. UNDERWOOD. Undoubtedly.

Mr. McCUMBER. Of course, it is recited before the colon that these articles are placed upon the free list.

Mr. UNDERWOOD. Undoubtedly.

Mr. McCUMBER. Then it is provided that against imports from countries which levy a duty upon the American commodity there shall be levied an equal duty.

Mr. UNDERWOOD. Undoubtedly. I have aided in writing tariff bills, and I am familiar with the fact that when articles are placed upon the free list they are not to be taxed unless a proviso is inserted stating that they shall only go on the free list on the happening of a certain event; and it is provided in the amendment not against all countries—for there is only one country involved in this controversy, and that is Canada—that bricks shall come in free of duty in the event that Canada admits bricks from this country free. Senators know that Canada does not admit brick from this country free. When we send home her envoy who comes here and asks for reciprocity in trade and tell him that it is an absurd proposition to contend for reciprocity in trade now, of course, Senators do not expect that Canada is going to eliminate her duty on bricks under those circumstances. Of course, practically no bricks come into this country from any country except Canada. I do not contend that the imports from Canada are very great, although they afford relief to certain American citizens; but the principle for which Senators on the other side are contending is, in my judgment, wrong when it requires that taxation shall be imposed on building material with which to build the homes of America. I think it is wrong to pick out a few little special interests and put into their pockets money which belongs to the taxpayers of America.

I want to know under which clause of the bill bricks are to fall. The Senator knows that Canada has a tax on bricks; the Senator also knows that this proviso will apply to Canada and that bricks will not be on the free list. So they must be provided for somewhere else. Now, I want to ask the Senator to answer the question whether when a duty is imposed at the customhouse on bricks coming from Canada, so long as Canada does not put American brick on the free list, whether they are going to fall under paragraph 201 of the bill providing that bath brick, chrome brick, and fire brick not specially provided for, shall pay a duty of 25 per cent ad valorem or whether they are going to fall under the basket clause. I do not recall what the tax under the basket clause is.

Mr. McCUMBER. I can answer the Senator; but I must say to the Senator most candidly that it seems to me he has not carefully read the amendment, because it says that there shall be then imposed "an equal duty"; that is, a duty equal to the duty that is imposed by the country from which they are imported. So brick would not fall under any other clause; but if they are imported from Canada, and Canada levies a 22½ per cent duty on American brick, of course the duty on brick from Canada would be a 22½ per cent ad valorem. They would not fall under any other clause.

Mr. UNDERWOOD. The Senator from North Dakota has satisfactorily answered my inquiry. I wanted to know under what paragraph brick from Canada were going to fall, because the tax has not been repealed. The Senator has very kindly answered the question that Canada has a tax of 22½ per cent on imported brick, and therefore, under the proviso, so long as the Canadian rate stands—and he admits that it will stand—brick imported into this country from Canada will be taxed 22½ per cent.

Now, what do we find the condition to be. We have fought for two days over the taxing of bricks.

Under the House bill "fire brick, weighing not more than 10 pounds each, not glazed, enameled, ornamented, or decorated in any manner," carried a rate of duty of 10 per cent, and as reported to the Senate by the committee, the rate of duty was 15 per cent ad valorem. That covered common brick. Now, the Senator admits that the proviso which he offers will raise the ad valorem rate on brick. I am not talking about the theory of their being on the free list, but I am talking about the fact that while the Senator and the committee are saying to the Senate they are going to provide free brick, yet they are putting brick in this bill under a proviso which in fact will result in levying a duty of 22½ per cent on common building brick. Am I wrong?

Mr. McCUMBER. On brick from Canada.

Mr. UNDERWOOD. On brick from Canada, the only country whence competition comes. The Senator admits I am right. Now, after discussing the brick item for two days, the Finance Committee come in here and say, "We are giving relief to the American people," yet we find a joker in the amendment, so that instead of reducing the tax on bricks, in reality the tax is being increased from 15 per cent ad valorem, as originally provided in the bill, to 22½ per cent on bricks coming from Canada, the only country from which come any material amount of bricks.

I hope, therefore, Mr. President, that my motion to strike out the proviso will prevail, and on that I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alabama to the amendment of the Senator from North Dakota, on which the yeas and nays are demanded.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. HARRISON (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. ELKINS] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. WARREN (when his name was called). Announcing my pair as earlier in the day, I vote "nay."

The roll call was concluded.

Mr. COLT. Making the same announcement as before, I vote "nay."

Mr. NEW. Making the same announcement with respect to the transfer of my pair as on the last preceding vote, I vote "nay."

Mr. HALE. I transfer my pair with the Senator from Tennessee [Mr. SHIELDS] to the Senator from Ohio [Mr. WILLIS] and will vote. I vote "nay."

Mr. ROBINSON (after having voted in the affirmative). I have a general pair with the Senator from West Virginia [Mr. SUTHERLAND]. I transfer that pair to the Senator from Texas [Mr. CULBERSON] and will let my vote stand.

Mr. JONES of New Mexico. I transfer my general pair with the Senator from Maine [Mr. FERNALD] to the Senator from Missouri [Mr. REED] and will vote. I vote "yea."

Mr. SIMMONS. I wish to announce the unavoidable absence of my colleague [Mr. OVERMAN]. He is paired with the Senator from Wyoming [Mr. WARREN]. I will let this announcement stand for the day. If my colleague were present, he would vote "yea" on this amendment.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Virginia [Mr. GLASS];

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH].

The result was announced—yeas 22, nays 42, as follows:

#### YEAS—22.

Borah	Harrison	Rawson	Swanson
Caraway	Heflin	Robinson	Underwood
Cummins	Jones, N. Mex.	Sheppard	Watson, Ga.
Dial	King	Simmons	Williams
Gerry	La Follette	Smith	
Harris	Pomerene	Stanley	

#### NAYS—42.

Broussard	Johnson	McNary	Ransdell
Bursum	Jones, Wash.	Moses	Shortridge
Calder	Kellogg	New	Smoot
Cameron	Kendrick	Newberry	Spencer
Capper	Keyes	Nicholson	Sterling
Colt	Ladd	Norris	Townsend
Curtis	Lenroot	Oddie	Wadsworth
Ernst	Lodge	Page	Warren
France	McCumber	Pepper	Watson, Ind.
Gooding	McKinley	Philips	
Hale	McLean	Polindexter	

#### NOT VOTING—32.

Ashurst	Elkins	McKellar	Shields
Ball	Fernald	Myers	Stanfield
Brandeggee	Fletcher	Nelson	Sutherland
Crow	Frelinghuysen	Norbeck	Trammell
Culbertson	Glass	Overman	Walsh, Mass.
Dillingham	Harrell	Owen	Walsh, Mont.
du Pont	Hitchcock	Pittman	Weller
Edge	McCormick	Reed	Willis

So Mr. UNDERWOOD's amendment to Mr. McCUMBER's amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the amendment offered by the Senator from North Dakota.

The amendment was agreed to.

Mr. McCUMBER. Mr. President, I now ask to return to paragraph 203, page 32; and I propose, on behalf of the committee, to move to strike out all of paragraph 203, and then to insert, on page 217, after line 24, a new paragraph, to read as follows:

PAR. 1541 a. Cement, Roman, Portland, and other hydraulic.

That would place it upon the free list. Then the same provision that we had in reference to brick:

*Provided*, That if any country, dependency, Province, or other subdivision of government imposes a duty on such cement imported from the United States, an equal duty shall be imposed upon such cement coming into the United States from such country, dependency, Province, or other subdivision of government.

It would then be necessary, if that is carried, on page 33, line 14, after the word "ton," to insert a semicolon and the following:

Other cement not specially provided for, 20 per cent ad valorem.

Mr. UNDERWOOD. Mr. President, I desire to ask a question of the Senator from North Dakota. I have not the Canadian tariff before me; and I want to ask, under this change, with the proviso in, what rate of duty cement would bear coming from Canada?

Mr. McCUMBER. I will turn to it in a moment.

Mr. UNDERWOOD. I ask for information, because I have not the information.

Mr. McCUMBER. I will look it up.

Mr. UNDERWOOD. I should like to have the information before we vote.

Mr. McCUMBER. If the Senator will indulge me a moment, I have the book here and will have the matter looked up.

The PRESIDING OFFICER. The Senator from North Dakota proposes an amendment, which will be stated.

The READING CLERK. It is first proposed, on page 32, to strike out paragraph 203, relative to Roman, Portland, and other hydraulic cement, as amended; then to insert, on page 217, after line 24, a new paragraph, to read as follows:

PAR. 1541a. Cement, Roman, Portland, and other hydraulic: *Provided*, That if any country, dependency, province, or other subdivision of government imposes a duty on such cement imported from the United States, an equal duty shall be imposed upon such cement coming into the United States from such country, dependency, province, or other subdivision of government.

Mr. McCUMBER. I will say to the Senator that the Canadian tariff reads as follows:

Cement, Portland, and hydraulic or water lime, in barrels, bags, or casks, the weight of the package to be included in the weight for duty, per hundred pounds, 11 cents.

Mr. UNDERWOOD. In other words, so far as Canada is concerned, if this amendment is adopted it will raise the tax on cement from 5 cents per 100 pounds, as provided in the bill, to 11 cents per 100 pounds?

Mr. SMOOT. Unless she changes her rate.

Mr. McCUMBER. That is correct; just the same as in the case of brick, if Canada retains her duty.

Mr. UNDERWOOD. The Senator from North Dakota has already admitted that the policy of the Republican Party is to have no reciprocity, and therefore, of course, we can not expect to change Canada, and the Senator's amendment protects American cement 11 cents per 100 pounds instead of 5 cents.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from North Dakota.

Mr. ROBINSON. Mr. President, I move to strike out the proviso in the amendment offered by the Senator from North Dakota.

It is perfectly apparent that from a practical standpoint the tax on cement under the pending amendment, in so far as it relates to importations from Canada, will be more than double the rate if the provision in the bill is adopted; and unless the proviso be stricken out the effect of adopting the amendment of the Senator from North Dakota will be to increase the tax on cement imported into the United States from Canada by more than 2 to 1 over the amendment proposed originally by the committee in paragraph 203.

For these reasons I move to strike out the proviso.

Mr. SIMMONS. Mr. President, I was somewhat pleased when I heard early this morning that the majority members of the Finance Committee, in their accustomed morning sessions at which they are now revising the tariff bill, rewriting the schedules, and cutting down the rates, from day to day under the compulsion of the fire that has been leveled at the high rates, had decided to put cement upon the free list. We had only to a limited extent discussed the item of Portland cement. There was no committee amendment to the House rate, and therefore it was not before the Senate; but an amendment to the same paragraph by the committee relating to other cements than Portland cement and Roman cement—the duty of 5 cents a

hundred upon Portland and Roman and other hydraulic cements—was discussed, and the facts with reference to that provision were laid before the Senate, and the utter lack of justification for any such duty upon this material was strongly argued.

It was then made clear that cement is one of the chief factors in practically all the heavier construction that is going on in the United States to-day, including road building, which is more active to-day in every State in the Union than it ever has been before; and I suppose that as the result of this discussion, and the exposure of the injustice of imposing such a rate of duty, the committee decided to surrender in this case, as it has, I am glad to say, surrendered in many other cases heretofore, and as I hope it will continue to do in rewriting this outrageous bill from day to day. Probably they consider it too late for them to recall the bill and rewrite it altogether, because we have gone nearly through three of the larger schedules.

It is enough, Mr. President, to assure the country that even the majority members of the committee itself, in the light of the discussions, have now been driven to the conclusion that the bill's rates are unjust and unfair to the people of the country, and that they ought to be revised. I suppose that that admission as to the rates they have already revised can be taken as an admission that the rates generally carried in this bill are too high, and are oppressive and burdensome to the people, and that they ought to come down.

I was delighted when I heard that they were going to put this article of common use upon the free list, just as they had claimed they had done with reference to brick; but in the case of cement and in the case of brick it turns out that they seek to accomplish the same purpose by the use of what is known as a countervailing duty. Probably the committee felt that the brick and cement were articles of such common use, so well known and understood by the people of the United States, that it would be a little risky, after the exposures which have taken place with reference to those items, to have them specifically carry these high rates, and that they could camouflage their action and accomplish practically the same purpose by the application of a countervailing duty.

The present proposition of the committee is that we are to have absolutely free trade in cement unless that cement happens to come from Canada, unless it is produced across this artificial boundary which separates the United States from Canada. If it comes in from any other country by the Atlantic Ocean or the Pacific Ocean, or from south of us, then it is to be free. If it comes to our Pacific ports from Japan or from China, although I do not know whether they make it there, or from any of the Pacific Ocean countries where they do make it, it is to be free. If it comes in from Europe and enters any of the American ports on the Atlantic coast, then it is to be free. But if it comes from our neighbor, Canada, it is to bear a duty equal to that levied by Canada, not the 5 per cent duty which the committee proposed as a just and fair rate when they brought this bill in, and from which they have now receded as to other countries, for the reason, I assume, that they have come to the conclusion that it is an unjust rate to impose as against other countries. Notwithstanding they have admitted that as to other countries this duty is unwarranted, as to Canada they propose now to more than double that rate by the imposition of a countervailing duty.

What have we against Canada? Why should we single her out for discrimination? We recently passed here an emergency tariff bill by which we practically embargoed most of the things which Canada sold to us, and that in face of the fact that Canada was, next to Europe, our best customer in all the world. As a result of that onslaught against the purchase by us of Canadian goods, the things they sold us in exchange for the things they bought from us—and they were only selling us about half as much as they bought from us—as the result of that onslaught upon our neighbor country, which has always been our friend, which is inhabited largely by people of the same nationality, speaking the same language, who live right at our door, in one short year we have lost over \$600,000,000 of our Canadian business, and our trade with Canada to-day is only about one-half of what it was before the enactment of the so-called emergency tariff act.

Now, after having dealt her this body blow, it is proposed to establish free trade with all nations in cement except with Canada, and to impose in the case of Canada a rate twice as high as the committee attempted to impose against the world, but from which they have receded, thereby admitting and confessing that it was an unjust and an unwarranted duty.

I remind the country that in the Senate debates on the so-called emergency tariff bill I predicted just what has since happened with respect to the disastrous effects that bill, if en-



acted, would have upon our commerce with Canada. I said we must expect retaliation in that event. Now, having already lost as a consequence of the emergency tariff approximately one-half our Canadian trade, the Republican majority members propose to cut the vitals out of what remains of it by striking this wanton and foolish blow at our friend and neighbor, while admitting free of duty the cement of all other countries.

Mr. TOWNSEND. Mr. President, I do not propose to delay the action of the Senate on this amendment for a moment.

I remember that several years ago I voted for Canadian reciprocity. Subsequent events show that I made a mistake. Some of the Senators who are now condemning the committee because it imposes a reciprocal duty on one or two items, differed from the rest of us who favored reciprocity with Canada at that time. They strongly condemned this policy, but now they wish to surrender our market forever to those who place tariff duties on our products.

The Senator from North Carolina [Mr. SIMMONS] seems to suffer a great deal because of what he says is the injustice that is to be done to Canada in that we propose to have free trade in cement with all the rest of the world except Canada, and in that case we propose to almost double the duty that was originally proposed.

He does not tell the country that under this tariff Canada gets exactly the same benefit granted to every other country. Canada can have free trade with the United States in cement if she will remove her duty. This reciprocal provision does not apply to Canada alone, but applies exactly alike to all countries.

I am informed on good authority that in the country for which the Senator seems so solicitous, just across the river from Detroit, there is being erected now by the United States Steel Trust, as it has been called so frequently, a mammoth cement plant. Under the present law in Canada that corporation will have an advantage of the market in Canada over the United States to the extent at least of 11 cents per hundred pounds protection. It is planting its factory over there because it is for its advantage to do it. It would not do it otherwise. It gets an advantage over its United States competitors.

It is an easy matter for Canada to remove her duty of 11 cents against the United States and get free trade on cement. It is up to her. We are not discriminating against her. We are saying, "We will treat all nations fairly and exactly alike. All nations that furnish reciprocal privileges to us get their cement free of duty, and those nations which impose a tariff on our product will have the same tariff imposed on their product."

That is the story, and that is all there is to it. This statement that we are discriminating against Canada is not, in my judgment, in accord with the real facts in the case. This tariff will, if the Senate amendment is adopted, impose no duty upon foreign cement except upon cement coming from a country which imposes a duty upon cement from the United States, and in that case the duty will be self-imposed by such country.

Mr. CUMMINS. Mr. President, I regret that I feel compelled to differ from the conclusions of the Senator from Michigan [Mr. TOWNSEND] with regard to this proposition. He was in favor of the proposed reciprocity treaty with Canada a few years ago. I was against it, and I am just as much opposed to it now, or would be if it were before the people of the country, as it was then.

This is not a reciprocal arrangement. Properly speaking, there can be no such thing as reciprocity in competitive products. We may be able to make a bargain with another country respecting the admission of her products into our markets and the admission of our products into her markets of a different character, but there can be, at least from my standpoint, no such thing as reciprocity in a retaliatory duty. This is retaliation, not reciprocation.

If I believed that the cost of production of cement produced in the United States was, generally speaking, greater than the cost of the production of cement in Canada, I would favor a duty not only upon the importations from Canada but upon the importations from every country in the world. But I do not believe that there is any substantial difference between the cost of producing cement in Canada and the cost of producing it in the United States.

Mr. ROBINSON. Will the Senator yield at that point?

Mr. CUMMINS. I yield to the Senator from Arkansas.

Mr. ROBINSON. Directly in point with the statement the Senator has just made, I call attention to the information in the tariff surveys, furnished by the Tariff Commission, at page 261. The statement is:

Most Canadian plants operate at a disadvantage, since fuel must, in most cases, be imported from mines in the United States.

The indications are that if there is any difference in the cost of production, the difference is in favor of the plants in the United States.

Mr. CUMMINS. I believe the information contained in the extract just read by the Senator from Arkansas is true, and it is fortified by the fact that Canada, a country which believes in protection, just as we do, has thought it necessary to levy a duty of 11 cents a hundred pounds upon this commodity in order to prevent the United States from taking her market, and it seems most astonishing that it is necessary for Canada to provide a duty to prevent importations from the United States and that at the same time it is necessary for the United States to levy a duty in order to prevent importations from Canada. The two things are not consistent with each other.

Mr. McCUMBER. Mr. President—

The PRESIDING OFFICER. Does the Senator yield to the Senator from North Dakota?

Mr. CUMMINS. I yield.

Mr. McCUMBER. I wanted to ask the Senator if the real question is not a question of freight rather than of cost of production?

Mr. CUMMINS. I have heard that mentioned several times, but the moment the article from Canada reaches the United States it must pay American freight rates. Canadian cement can not move upon railroads within the United States at any lower rate than that paid on the American product. Even if our freight rates, as compared with Canada's, may be a little higher, although I think that has been somewhat exaggerated, it can not be said that our freight rates warrant a duty upon this generally produced and widely used product.

Now, I would like to see a tariff law that all Republicans can defend, at least those who believe in protection. I believe in it as profoundly as does the Senator from North Dakota, but, in my judgment, some of the duties that are being imposed in the bill will do more to disparage the doctrine of protection among the American people than other duties in the bill, properly imposed, will do to sustain that doctrine.

I differ from my Republican friends on some of these points, and I do it with great regret. I expect to uphold the committee upon the greater number of the articles concerning which I know nothing, but there have been some mistakes, from my standpoint, made in the composition of the tariff bill that ought to be corrected, and this is one of them. I do not believe in a duty of 5 cents a hundred upon cement, nor do I believe in attaching a duty upon the importations from Canada because Canada has found it necessary to levy duties in order to prevent importations from the United States. I think we ought to be governed by the ancient and honorable rule that we have announced so often, that we intend to protect our manufacturers to the extent of the difference in the cost of production at home and abroad.

Mr. McCUMBER. Mr. President, I want the attention of the Senator from Iowa for just a moment. Let us admit, now, as a rule that we need no protection whatever. That is why we are proposing the free list. If the Senator will look over the exports, imports, and production, he will find that for every pound we import we export 6 pounds. The importations, I think, would not amount to 1 per cent of the production.

I am making that general statement, or admission, if you desire to call it such, in order to clear the ground that we are really giving a free importation, with the exception of possibly less than 1 per cent of our production, and that 1 per cent coming from Canada is not going to increase or have any particular effect upon the general market price of cement. It is too small to have that effect. What is it for, then? It is simply to protect or, if I may put it in another form, to give the American who lives upon the Canadian border the same opportunity to sell his product into Canada that the Canadian has to sell his product in the United States.

Here is an imaginary line with a little American factory on one side and a little Canadian factory upon the other side. Neither of them produces in any appreciable amount as compared with the entire production. The Canadian goes into the market of the American with free hands and has no duty to pay. The American who goes on the other side of the line has to pay about 40 cents for every barrel of cement that he takes across the Canadian border. While the Senator from Alabama [Mr. UNDERWOOD] says that when he put this like arrangement into his tariff law it failed, I am not so certain that it will fail in reference to cement. It may be that if we put this rate upon the Canadian cement factory, they will be willing that the American on the opposite side of the boundary line shall have the same privileges they have, but if we do fail we have not

done any harm particularly to the general public who buy cement.

Mr. CUMMINS. Mr. President, may I interrupt the Senator at that point?

Mr. McCUMBER. I yield.

Mr. CUMMINS. The Senator from North Dakota says it will do no harm. From the abstract standpoint I think it will do great harm, if it did not influence the movement of a single ton or pound of cement, because it furnishes one of those illustrations so often used and so effectively used by our friends upon the other side of the Chamber to disparage the doctrine of protection.

But I think it will do harm in another way. I think the great object of a protective tariff law is to employ and keep in employment the maximum number of people living in the United States. The Senator has said that we export to Canada 6 pounds of cement—

Mr. McCUMBER. No; the Senator is mistaken. I say that we export 6 pounds of cement to 1 pound that we import, but not as to Canada.

Mr. CUMMINS. How much of that comes from Canada?

Mr. McCUMBER. I think very little, if any. I would have to look up the record, but I think only a very small amount.

Mr. CUMMINS. I understood the Senator to say we exported to Canada 6 pounds of cement to 1 imported from Canada, but I may have misunderstood him.

Mr. McCUMBER. No; it is exported to Cuba and South American countries. I do not know whether there has been a pound exported to Canada.

Mr. CUMMINS. However that may be, when we enter into a war of tariff with Canada, and Canada pursues the same plan that some of our people want to have pursued by this country, I assume she would raise her duty to 50 cents and exclude all American cement upon the theory that it is better for that dominion that her cement be manufactured within her own borders. That, it would seem to me, might result in a very serious diminution of labor performed in the United States.

But I do not myself believe in retaliatory tariffs. I believe in legislating for the welfare of the people of the United States. It is better for us to admit cement from Canada, manufactured under conditions certainly not more advantageous than ours. Then, let us take that Canadian cement which comes in under those conditions. It might at times serve as a slight restriction in certain parts of the United States on the enormous prices that have been charged in recent times and that may be charged in the future.

I did not intend to take up the time of the Senator or of the Senate, but I wanted the Senate to know why I can not vote for a retaliatory duty upon cement.

Mr. McCUMBER. Mr. President, if, of course, we say that it is a retaliatory duty, the Senator's position would be correct from that standpoint. But during the first 10 years since 1900, according to the Tariff Commission's report, practically all of our imported cement came from Belgium, France, and Great Britain, and once in a while some would come over from Canada. Of course, the war came on and that cut off practically all the trade in cement from across the ocean. After the armistice they began to renew gradually and are continuing gradually the imports and the foreign product is now beginning to come in. I think, inasmuch as we imported large quantities in the earlier part of this century, that as soon as we reach normal conditions, or at least as soon as those countries get upon their feet again, they can import and will import to this country a sufficient amount to affect the price here and to prevent any combination, unless the combination is made with the foreigner as well, to impose an extortionate price against the American people.

But the Canadian exports only along the Canadian line for a short distance into the United States and the Tariff Commission so states:

The bulk of the increase is Canadian cement from plants located near the border.

If they are any distance from the border the freight rates are such that they do not get into the interior. Now, within that zone in which both the American and the Canadian trade, the American is cut off from the Canadian side while the Canadian has the free use of the American side. While we may not like the policy, at the least the Canadian can not complain if we say to him, "We will give you free imports for your one-tenth of 1 per cent, or whatever it may be, provided you will give us free importation in your territory."

Mr. ROBINSON. Mr. President, cement of the class embraced in this paragraph—namely, Roman, Portland, and hydraulic cement—is now on the free list. Notwithstanding that fact, the industry is so completely organized throughout the United

States that the prices which are being charged for the product are excessive beyond reason or justification.

The uses to which cement is put are in a measure public uses. It is used in a large number of industries of a public or quasi-public character. It is the most important building material and is constantly increasing in its importance, taking the place in many localities of brick and other building material. The United States, according to the Tariff Commission report, was the pioneer in concrete building and industrial construction, and the production and consumption per capita of concrete exceeds that of any other nation.

As stated by the Senator from North Dakota [Mr. McCUMBER], domestic production exceeds consumption. It is impossible, in my judgment, to determine what effect a tariff on this commodity will have on prices. Certainly the imposition of this duty is not intended to reduce prices. The only justification offered for it is to enable American producers of cement to maintain the trust-controlled prices along the Canadian border. The Senator from North Dakota gave a pathetic illustration of a little cement factory on the American side and a factory on the Canadian side, and appealed for protection in behalf of the American factory. He neglected to say, however, that both factories—certainly it is true of the American factory—now charge twice as much as the commodity ought to sell for.

On another occasion in discussing this subject I put into the RECORD a statement of the manner in which this industry is controlled, and also some information concerning the rapid rise in prices of cement during the last five years. My recollection is that cement is now selling for close to five times as much as it was selling for approximately five years ago. In view of that fact, I agree with the Senator from Iowa [Mr. CUMMINS] absolutely that the friends of protection, who, I admit, under the political situation that now prevails in the Congress, are entitled to write this bill, are discrediting the theory of protection by imposing high rates on commodities that are admittedly trust controlled and for which exorbitant prices are now being charged.

When the committee reported this bill it evidently felt that a rate of 5 cents per 100 pounds was adequate for protection purposes, but now, under the guise of putting cement on the free list, they have actually more than doubled the tariff on this important construction material. The original committee amendment contemplated the imposition of 5 cents per 100, while the pending amendment contemplates the imposition of 11 cents per 100, unless Canada sees fit to change her law, on all importations from Canada, and, as stated by the Senator from North Dakota, the principal importations come from Canada. So long as that is true, if we write the pending amendment into this proposed law, instead of putting cement on the free list, we shall be more than doubling the high rate originally proposed by the committee. It does not take a logician or a philosopher to see that.

It is absurd to say that cement shall be put upon the free list, but that importations of it from countries that impose duties on cement made in this country shall bear a rate of 11 cents per 100, when all the while we know that the principal effect of the provision will be to require every consumer of cement who is within access of the Canadian factories to pay a tribute of 11 cents per 100 pounds to the monopoly which dominates the industry in every State of the Union, including Michigan.

One can not buy one pound of cement from any factory in the State of Michigan for one cent less than he can buy it from any other factory in Michigan. One can not buy any quantity of cement from any factory that sells cement in the city of New York for less than he can buy it from any other producer of cement.

Mr. CARAWAY. And the Senator will also remember that if one is not within the territory contiguous to that particular factory he can not buy it at all.

Mr. ROBINSON. Yes. If he is not located in the territory allotted to the factory, he can not buy it at all. The country is divided into zones; the price is fixed; the quantity that may be sold to a consumer is limited; and it must be used upon particular works. If not used upon the job for which it was purchased, the consumer who uses it upon some other job can not thereafter purchase cement from anyone.

With this condition prevailing in the industry, with the public already being charged from two to three times what the commodity ought to sell for, with a condition which everybody realizes prevails in all our great cities respecting the building of houses, with gigantic enterprises involving road construction and other similar enterprises in progress throughout the United States, the Congress certainly should not take any steps calculated to fasten upon the country conditions that have



become intolerable in regard to this great industry. If the proposed rate will not tend to increase the price or maintain the price, then there is no justification for it on the theory that it is a protective tariff.

I have been hoping that the result of the proceedings instituted by the Department of Justice would be the dissolution of the Cement Trust, so that this country may go forward with its great construction enterprises; but this step, under the disguise of a free-trade amendment is, in fact, more than doubling the original high protective amendment which was proposed by the committee.

It is for this reason that I have moved to strike out the proviso and to leave this important material on the free list. When American factories reduce their prices so that they may receive ample but not extortionate and unreasonable profits I shall be willing to see written into a Republican tariff bill provisions for their protection.

Mr. HEFLIN. Mr. President, it would greatly please all American consumers of cement if the Republican Senate would place this important material on the free list. As has just been pointed out by the able Senator from Arkansas [Mr. ROBINSON], cement is a very important building material. While he was speaking I thought of the many ways in which we use cement. Watering troughs for fowls and animals are made of cement; walk ways in yards are made of cement; foundations for buildings—dwelling houses, schoolhouses, and churches—are made of cement; it is used in building sidewalks in towns and cities; it is used for paving streets; it is used for the construction of bridges and for the building of public roads. Not only that, Mr. President, but dwelling houses and even steamboats are actually being constructed of cement.

Mr. POMERENE. And business blocks.

Mr. HEFLIN. Yes; and business houses are being constructed of cement; the homes of the people are being built of cement. In fact, not a thing that can be thought of is in more general use except air and water and salt, and the Republican majority have imposed a tariff tax on salt. Cement is a very important commodity in daily use everywhere.

Now, Senators on the other side come here and propose a tax upon this very essential material. They talk about the increased prices affecting only people who live along the Canadian border, but the Senator from Arkansas is absolutely right in what he has said regarding that, for when the price of cement is increased on the Canadian border by an import duty levied against the small amount of cement which would come over into the United States every producer in the United States is given an opportunity to say "Congress has placed a tariff upon cement, and that is why cement is costing you more than before." He may add for your benefit, "I do not think Congress ought to have put that tax on; but it is on, and, of course, you must pay it." The cement manufacturers will hide behind that excuse to filch money from the pockets of the cement consumers of America.

by it—and the only people who are going to profit by it are the manufacturers who are interested in the 4,000 items upon which it imposes excessive duties—the cement manufacturers along the Canadian border can come here and tell the majority members of the committee that they are having a hard struggle with their competitors across the Canadian border; being framed purely for the manufacturers, who are to profit but what heed is paid to the man who comes and tells you, "I have got to build a bridge across a branch or creek running through my farm," or "I want to build a dwelling house, a stable for my horses and for my cow, and a house for my hogs out of cement." He has not been considered or consulted. He can say, "You are taking money out of my pocket and giving it to the cement producers in the United States. They ask you to do it, but you did not consider me or consider my interest."

Yet the Senator from Idaho [Mr. GOODING] repeatedly gets up here and says, "This tariff bill was not framed behind closed doors." Every Democratic member of the committee will substantiate the statement which has been made here time and time again that no Democrat was permitted to sit in the committee when the Republican Senators were framing this bill. If that is not true, let some Republican member of the committee deny it. They framed the bill by themselves, and no Democrat was there. The Democrats were shut out. Oh, Mr. President, nobody had access to that "chamber of horrors" except the profiteers and the tariff barons. When they tapped on the door and said, "Open sesame," it flew open, and they walked in, and when they laid their silk hats and kid gloves and gold-headed canes down on the table the

Republican members of the committee bowed and smiled like a bunch of green-neck Muscovy ducks over a mud puddle full of fat tadpoles. [Laughter.]

There was never anything like it, and yet when we get up here and tell those who framed this monstrosity that we ought to have a right to combat the committee proposals in behalf of the American consumer they grow impatient and become indignant because we are exposing to the public item after item on which they add more and more to the tax burden of every consumer in America.

I want to see every legitimate manufacturing concern in America prosper; but, Mr. President, when I hear Republicans over there speaking about what is going to become of this pet manufacturer and that I think about the poor fellow in other walks of life out yonder who is now eking out a miserable existence. You are not considering him. The Senator from North Dakota [Mr. McCUMBER] was talking a while ago about that poor little cement producer on the Canadian border and how hard it was for him to struggle along in competition with his neighbor just over the line. I want to ask him what you said to the farmer who was fleeced, robbed outright, by your deadly deflation policy carried out by the Federal Reserve Board? Your leaders said, "He has got to take his medicine." I said, "He can not live under this thing unless you furnish him money and credits to carry on his business." Your side said, "He must take his medicine."

What did you mean by that? You meant that if he could not live producing agricultural products he could quit. That is what you meant by it. You did not extend any helping hand to him. You did not pick him up and cry out that he was being ruined, when Wall Street was hoarding the gold supply of the country, and had a Federal Reserve Board that did its bidding day by day, to the robbery and ruin of the farmers of the country. What were you doing then for the millions of farmers in the South and West? I never heard you crying out then that the Government must come to their rescue; but now this little cement producer on the Canadian border is being held up by you as an example and a pitiful object, and you are going to his rescue and making that an excuse to tax every consumer of cement in America. That is what you are doing.

What happened to the farmers of the South by the thousands under your deflation policy? They quit the farm, driven from it, sold all their products and lost the farm; and with farm gone and debts still hanging over their heads, they have gone to towns and industrial centers to work for wages. That is what happened under your deflation system. Now you want to tax those men and tax everybody else who has to use cement for the benefit of the Cement Trust of the United States. That, I repeat, is what you are doing.

More cement is made in the State of Michigan, I believe, than is produced in all the world outside—4,000,000 barrels last year, I understand, against the importation of 5,000 barrels, or something like that—and then you say we need a tariff tax against the imports of cement into the United States! Senators, it is utterly ridiculous, inexcusable, and indefensible. That is the situation that we have.

Where is this thing going to stop? My good friend, the junior Senator from Arkansas [Mr. CARAWAY], suggests, and I think he is right, that it will stop at the next election. Oh, it will be a glorious thing when we can get the men and the women in America who wield the power of the ballot to stand up and face those who stood here day after day and night after night under whip and spur taxing, taxing the American masses at every turn in the road. That is precisely what you are doing. Four thousand captains of industry, 4,000 tariff barons, have demanded this pound of flesh from nearest the heart of the American consumer, and under the skillful leadership of the surgeon from North Dakota you are proceeding to cut it out. You are doing this for 4,000 tariff barons in the 4,000 items in your bill. For what purpose? To increase the profits and the fortunes of these men.

What of these millions of farmers who will not get out of debt for five years to come? What of them? Nothing. You Republicans say, "Let them take their medicine." That is what you said; and now we are told that your President is thinking of reappointing the present governor of the Federal Reserve Board. Well, what have I said all the time? Have I not told you all the time that Wall Street and the money changers of the East kept him in? Have I not told you all the time that they would not permit him to be turned out? What is this going to do but prove what I said?

Mr. WATSON of Georgia. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Georgia?

Mr. HEFLIN. I am glad to yield to my friend from Georgia.

Mr. WATSON of Georgia. I will inform the Senator from Alabama that at this time, in one county in the State in which I in part represent—a county which was one of the most thriving farming counties in Georgia—three pages of the county paper are taken up with advertisements of land to be sold for taxes.

Mr. HEFLIN. Mr. President, that is true of nearly every county in the South, and it is true of many, many counties in the West, if not all of them. The State of Texas by a resolution of the legislature extended the time for the payment of taxes, and I understand that the State of Mississippi did the same thing. These two Commonwealths took these steps in order to save from ruin their farmers. What were you saying; then, should be done for them? "Take their medicine." What about these 4,000 captains of industry and tariff barons? Why, they say, "We want this increase." You say, "All right; you shall have it. What is your reason for it?" "Why, I want to increase my profits. I want to increase my fortune through party machinery in Congress by the use of the taxing power." That is what he would say if he told the truth.

Mr. GOODING. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Idaho?

Mr. HEFLIN. I yield to the Senator from Idaho.

Mr. GOODING. I want to ask the Senator if he will give us the date when this deflation started in this country?

Mr. HEFLIN. Mr. President, it started when a Republican Congress in control of both Houses passed a progressive interest rate, permitting 40 and 50 per cent and higher rates, and put in the hands of that board a knife with which to cut the throat of the farmer, the merchant, and the banker and everybody else in the agricultural sections of the country. That is when it started. There was not a ripple on the surface when Wilson was in health and the Democrats were in control of both branches of Congress.

It was when the Republican Party took control, and you put this progressive interest-rate measure through both Houses. It was when the Senator from Illinois [Mr. McCormick] passed through this body a deflation resolution, calling on this board to know what it was doing to deflate, and so forth, and when the governor of that board, W. P. G. Harding, who truckled to your party to hold his job and get reappointed, and to do some other things—that is when it started. You have kept him in power; the President could have asked for his resignation in the spring of 1921, just like he did that of the district attorney in the State of Texas, but he never asked for it—it was when that governor of the board commenced playing to your party to retain his position, and wrote back to the Senator from Illinois [Mr. McCormick] that he would not hesitate to use every power under the law to bring about that deadly thing. That is when it started. It started after President Wilson was stricken down and the Democrats lost control of the House of Representatives and the Senate. It started when you were using this deflation policy for political purposes in the South and the West, and well did the farmers of the South and West pay for it. My God, how they suffered!

Mr. GOODING. Mr. President—

Mr. HEFLIN. I yield to the Senator from Idaho.

Mr. GOODING. I will ask the Senator from Alabama if the Federal Reserve Board, all the time that this deflation was going on, did not have the support and indorsement of the Secretary of the Treasury, a Democrat?

Mr. HEFLIN. He was not a Democrat. He was appointed as a Democrat.

Mr. GOODING. I am talking about the Secretary of the Treasury under President Wilson.

Mr. HEFLIN. The Senator is talking about Houston and I am talking about his not being a Democrat at heart. Houston was Secretary at the time of which the Senator is speaking. I repudiated him long since. He betrayed the Democratic Party just as W. P. G. Harding betrayed it, and both of them, in betraying the Democratic Party, betrayed the people of the United States.

Why, this man W. P. G. Harding is so eager for the continuance of his connection with certain interests that he went up here the other day in Pennsylvania, when he was hardly acquainted with Secretary Mellon, and just fell all over himself saying that Mr. Mellon was "the greatest Secretary of the Treasury the country had ever had." Now, think of that, O ye of little faith [laughter]—the greatest the country had ever had. Why, Mr. Mellon had not been in that service long enough to cut his eyeteeth, and here is this man, with the month of August looking him in the face, when his term will expire and

when he is going out, just taking on up there in Pennsylvania over Mr. Mellon, whom he pronounced "the greatest Secretary of the Treasury the country has ever produced."

When Mr. McAdoo was in there he was the greatest, according to Harding's idea, and then when Houston came in he was the greatest, according to his idea. They are out and gone. Mellon is now in a position of power, where he can say a good word to the President, and he suddenly becomes "the greatest Secretary of the Treasury that the country has ever had." Oh, this man is a great palaverer; this financial high priest of Wall Street.

The people are already burdened, yes, and overburdened, with taxes, Mr. President, and I rose simply to say a word in behalf of the American consumers, and to protest against this tariff tax now being levied by the Republican Party. It is a fortunate thing indeed that we do have elections every two years in the United States. It is fortunate that the man and woman out yonder, who will have their money taken from them without being given an opportunity to protest, without being heard at all by your committee, who were held up and robbed, shall confront on the hustings these men who have robbed them for the benefit of somebody else. I know that against that you will have heavy campaign funds, as you always do. You will have large contributions made to you by these men in whose name and in whose behalf you levy these taxes against the American people. You will have the influence of some of the press, subsidized agents of your party. Some of the press you can not control; some of it you can. You will have the wherewith given to you by these 4,000 captains of industry in whose interest you invoke the taxing power to try to hoodwink the people, fool them again, and make them think that you have done something for their benefit. You want them to smile as you go through their pockets; but when they meet you on the hustings this time with their ballots in their hands they will have an opportunity to answer you Senators, and I believe that their answer will be absolute repudiation.

Some of your newspapers are admitting now that we are going to beat you and carry the House, and they are saying that the Congress has not been good; that you would not mind the President; that he told you what to do and you would not do it. Now they are trying to shift the burden, and they say they are going to punish you, when you all look alike. You are all in the same boat. The people, Democrats and Republicans, are going to attend to all of you in 1924, because this is but brief authority that you have—only a temporary abiding place for you. You have been weighed in the balance and been found wanting. Well, you know what happened at old Belshazzar's feast. You are just reveling here now with your tariff barons and Newberries and all sorts of juicy financial berries. We are going to stew them all up for you and give you such a concoction in the fall of 1922 and 1924 that will restore to the people the blessed instrumentalities of constitutional government. The tariff barons will weep bitter tears, but the American people will rejoice that the day of their deliverance has come.

Mr. President, I fear that some Senators here have forgotten that this is the people's government and should be conducted in the interest of the whole people. We see the taxing power employed here day after day to take money out of the pockets of one class of people and put it in the pockets of another class.

The average citizen is willing to be taxed to meet the legitimate needs of the Government, but he is not willing to have this taxing power turned over to private individuals and corporations who use it to enrich themselves. You have no right to do that. The people are justified in crying out against this unjust usurpation of power. The title of this measure should be, "A bill to tax the American people for the financial benefit of 4,000 tariff barons in the United States." These men or their agents have been here and told you just what they wanted, and they were all very liberal in their demands upon the taxpayers' money, and you were very generous in granting their requests. But the fellow who is to be taxed, the man whose living expenses are to be greatly increased, you did not have him here. He has not been heard, except as we protest now in his name against the great injustice that you have done him. We did not know what you had done until the case was closed and you had framed your bill when only the Republican members of the committee were present. No Democrat was permitted to be present. But the bill thus framed taxes Democrats, Republicans, and everybody else for the benefit of those who told you what to write in the bill. Those who will repudiate your conduct will be found in the ranks of both parties. The improper use of the taxing power should be condemned by Democrats and Republicans alike. This bill is the worst example of the misuse and abuse



of the taxing power that has been presented to Congress in my day.

Mr. LENROOT. How about graphite?

Mr. HEFLIN. You can not say anything about graphite. The graphite industry here is closed down and the laborers have gone. The foreign graphite producer came in and took control of the American market. You who profess friendship for the American laboring man saw him come out of the American mines, having lost his employment, and you would not come to his rescue. Why? Because the big crucible makers of the United States told you not to do it, and you closed the graphite mines of America, you drove the American laboring man out of those mines, and trafficked to the foreigner the graphite market of your own country. Then you stand up and talk about doing something for the laboring man.

You are not going to do anything against the big interests. Certain big interests have written this bill. They furnish the campaign funds. If they elect a Republican Congress, why should they not write the bill. That is the way they feel about it. These things will happen every now and then, but the people get aroused, and when they do get aroused I have observed that they can do a heap of work around the polling places of the country. You used to talk about beating us in 1920 by 7,000,000, but you have stopped that. Since Pinchot won up in Pennsylvania and the cyclone struck Indiana you have sort of waked up. You realize what is going on in the country.

The people are becoming aroused. They ought to become aroused. They will become more and more aroused as the days come and go, and we show them how you are arranging to take money out of their pockets. The only thing you are doing is to enable somebody else to take money out of their pockets.

Mr. DIAL. Mr. President, what wages did the Senator say are paid to the foreign labor in the graphite mines abroad?

Mr. HEFLIN. Three cents a day for slave labor. They drove out free American citizens from the graphite mines in America and closed the mines for the benefit of graphite mined by slave labor of the Old World at 3 cents a day. Then they stand up and talk about being friends of the American laboring man.

I heard my friend from Idaho [Mr. GOODING] say he expected us on this side to shed tears for the laboring man. I have reminded the Senator from Idaho and others of 7,000,000 laboring men who have already been out of employment under your party's control for months and months. It has come to be a common thing for labor to be out of employment under Republican rule. That has become the order of the day until the man higher up gets ready to start the wheels to running. His robbing process will be employed again in due season. The shepherd usually waits for the wool to grow out on his sheep before he shears them again.

Mr. MOSES. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from New Hampshire?

Mr. HEFLIN. I gladly yield to the Senator from New Hampshire.

Mr. MOSES. I wish the Senator would enlighten the Senate and the country as to who enacted the tariff law under which all this misery occurred to the graphite industry.

Mr. HEFLIN. Mr. President, during the war the Government used some of the product and that industry flourished. This industry was not in existence when the Underwood-Simmons law was passed. It did not amount to anything in the United States at that time.

I want to say to the Senator from New Hampshire that half of the graphite supply of the United States is in my State. It is an infant industry, and the Republican Party would not come to the rescue of an infant. They let this old, hoary-headed monster from the Old World, employing slave labor, come over here and choke an infant to death in the United States.

Mr. MOSES. May I ask the Senator if he voted for a good duty on the product of his own State, namely, graphite?

Mr. HEFLIN. I voted for a wholesome revenue duty. I am not a free trader.

Mr. MOSES. No; not on the products of Alabama.

Mr. HEFLIN. It does not make any difference whether it is in Alabama or not. One of the Senators on the other side reminded me that most of those mines in my State are owned by eastern capital. I said that did not make any difference with me. The owners are American citizens and their investments are entitled to be treated fairly, and when they came to my State and invested their money there, they showed good taste, as well as good judgment, and I want them to have a fair deal. I do not care where the citizen lives, whether in my State or your State.

The Senator from Iowa suggested a thought this afternoon commented on by my friend from Arkansas [Mr. ROBINSON]. Under your theory of protection you are employing one excuse and another to literally plunder the American people. You used to say, "Here is an industry growing up and we should levy some taxes against its competitor abroad, at least until it can get on its feet and get in the game." The Government would derive some revenue, and if incidental benefit goes to the industry, very well. If labor shares it, all right. But, Mr. President, under that boasted protection theory of your party hundreds of fellows who go into business now say, "We are not making as much profit as we would like to make. We will go down to see the Republican Congress and ask that the taxing power be used to increase our profits."

You tax the American people to make certain interests enormously successful in business and these interests write checks for your campaign fund. They feel that they have paid for the privilege of using the taxing power. You have a hodge-podge arrangement, and you are taxing the American people for the benefit of 4,000 captains of industry in the United States.

Senators, what right have you to do that? I ask you, in the name of the toiling masses of America, what right have you to tax the salt that goes into their bread?

Mr. SHORTRIDGE. Mr. President, in the name of the people of Louisiana, let me ask the Senator a question. Is the Senator in favor of a protective tariff on sugar and on rice produced by the good people of that great State?

Mr. HEFLIN. I am not in favor of a high protective tariff duty on anything.

Mr. SMOOT. Only on graphite.

Mr. HEFLIN. I hope that answers my good friend from California. I favor a revenue tax on a great many things. I voted for the Underwood-Simmons revenue tax bill, under which we collect nearly \$300,000,000 annually. That shows that I am not a free trader and that we were not for free trade when we levied those taxes. The difference between us is that we are taxing luxuries, in the main, and you are taxing now the absolute necessities of life.

If you tax something I could get along without, I could say, "No; I will not buy it, the price has gone so high. I would probably be better off without it. Excuse me." And I would just walk out of the store. But when you tax salt, which I must have to season my food, to give me health and strength, and to save and season meat, then you touch my pocketbook, and I have to respond and I have to buy.

Then, when you tax cement you tax a common necessity of life, and I have to have that. Then you tax brick; I have to buy brick if I do any building. The other day I saw you tax medicine—yes, you taxed medicine. Under the grinding process of your party you are reducing the people to such a state they can hardly walk, they are so weak; and when they put them to bed and send for the doctor you put a tax on the medicine he is going to give them to bring them back to health again.

Mr. MOSES. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from New Hampshire?

Mr. HEFLIN. Yes; I yield to the Senator from New Hampshire.

Mr. MOSES. I would like to ask the Senator from Alabama to what year he referred when he said there was \$300,000,000 of revenue collected under the Underwood tariff law? What year was that?

Mr. HEFLIN. I understand that we have averaged somewhere between \$240,000,000 and \$300,000,000.

Mr. MOSES. For the benefit of the Senator, I would like to read the figures.

Mr. HEFLIN. Just give them to me in round numbers.

Mr. MOSES. There is no year of operation under the Underwood law in which anything like \$300,000,000 was collected. In 1914, during which they had the benefit of the Payne-Aldrich law for a considerable portion of the year, the collections were \$292,000,000. The next year they were \$209,000,000 under the full operation of the Underwood law. The next year they were \$213,000,000; the next year \$225,000,000; the next year \$182,000,000; and the next year \$183,000,000. It is only since the emergency tariff law, a Republican measure, was added to the Underwood law that the revenues have approached anywhere near \$300,000,000.

Mr. HEFLIN. How did the Senator vote on the emergency tariff question?

Mr. MOSES. I voted against it.

Mr. HEFLIN. That is what I thought.

Mr. MOSES. But the fact that I voted against it did not make it not a Republican measure any more than the fact that the Senator repudiates Governor Harding makes him not a Democrat.

Mr. HEFLIN. The fact that the Senator did not vote for that bill is something in its favor, perhaps. Anyhow, we will not fall out about figures. I am not quarreling about what the exact figures were, but we derived revenue under the Underwood tariff law.

In 1914 we collected under the Underwood-Simmons law \$292,000,000. Of course, the amount fell off when German submarines were destroying millions of tons of commerce. But in 1920 when the war was over and before your emergency tariff went into effect, we collected \$323,000,000. These are the figures given by the Department of Commerce.

Here is what is going to happen under your law, if you ever get to operate this thing for any length of time: If \$2,000,000,000 worth of goods come in you will take out of the American people's pockets more than \$3,000,000,000 in addition by reason of that. That is what you are going to do.

Let me illustrate: Suppose you tax a certain kind of pocket-knife 25 cents, we will say. The manufacturer abroad stops sending that knife into the country. He will say, "I can not do it. The high tax you put on it shuts me out." He stops at the border line and his knives cease to come in. The man who manufactures the same knife in America, which he formerly sold at \$1, will now sell it for \$1.25. You have legislated into his pocket 25 cents on every knife that he sells. Why is that? He will tell the buyer, "They have put a tariff tax on this knife." The customer will say, "But I understand you have not any competition now." "Well, that is true. They have shut out foreign knives, but if you got that knife from abroad and paid the tax it would cost you \$1.25, and I am going to add 25 cents onto my knife and you will have to pay it to me."

Under that plan the American Government would not get one cent, and yet you tax every knife buyer 25 cents who uses that particular kind of knife. That is what will happen under your bill. God, and God only, knows how much money you are going to filch from the pockets of the American people through this tax bill. You are going to leave the American people at the mercy of the tariff barons of our country, and they will fill their pockets with money that you have enabled them to extract from the pockets of the people.

Mr. SMOOT rose.

Mr. HEFLIN. Did the Senator desire to say something?

Mr. SMOOT. I thought the Senator was through.

Mr. HEFLIN. What is the Senator's suggestion?

Mr. SMOOT. I was going to ask for a vote on the amendment that is pending.

Mr. HEFLIN. I have no objection to voting on it, but let us have the yeas and nays.

Mr. POMERENE. I ask that the amendment be read.

The VICE PRESIDENT. The amendment will be read.

The ASSISTANT SECRETARY. There are three amendments in one.

Mr. SMOOT. I desire to have each amendment voted on separately. Let the first amendment be stated.

The ASSISTANT SECRETARY. On page 32, it is proposed to strike out the paragraph embraced in lines 13 to 17, both inclusive, in the following words:

PAR. 203. Roman, Portland, and other hydraulic cement, in barrels, sacks, or other packages, 5 cents per 100 pounds, including weight of barrel or package; in bulk, 4 cents per 100 pounds; other cement, not specially provided for, 20 per cent ad valorem.

The VICE PRESIDENT. The question is on the amendment striking out the paragraph just read.

The amendment was agreed to.

The ASSISTANT SECRETARY. The second amendment is, on page 217, after line 24, to insert a new paragraph to read as follows:

PAR. 1541a. Cement: Roman, Portland, and other hydraulic: *Provided*, That if any country, dependency, province, or other subdivision of government imposes a duty on such cement imported from the United States an equal duty shall be imposed upon such cement coming into the United States from such country, dependency, province, or other subdivision of government.

That amendment the Senator from Arkansas [Mr. ROBINSON] proposes to amend by striking out the proviso.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arkansas to the amendment of the Senator from North Dakota.

Mr. ROBINSON. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. POMERENE. The vote is on the motion to strike out the proviso?

The VICE PRESIDENT. It is. It is on the amendment proposed by the Senator from Arkansas to the amendment of the Senator from North Dakota.

The reading clerk proceeded to call the roll.

Mr. KENDRICK (when his name was called). I transfer my general pair with the Senator from Illinois [Mr. McCORMICK] to the junior Senator from Massachusetts [Mr. WALSH] and vote "yea."

Mr. ROBINSON (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. SUTHERLAND] to the Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. WARREN (when his name was called). Making the same announcement as before, I vote "nay."

The roll call was concluded.

Mr. NEW. Repeating the announcement as to my pair and its transfer, I vote "nay."

Mr. HALE. Making the same announcement as before, I vote "nay."

Mr. HARRISON. Making the same announcement as before, I vote "yea."

Mr. COLT. Making the same announcement as before, I vote "nay."

Mr. STANLEY (after having voted in the affirmative). I transfer my general pair with the junior Senator from Kentucky [Mr. ERNST] to the Senator from Montana [Mr. MYERS] and allow my vote to stand.

Mr. CURTIS. I wish to announce the following pairs:

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Virginia [Mr. GLASS];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH].

The result was announced—yeas 26, nays 35, as follows:

#### YEAS—26.

Borah	Jones, N. Mex.	Pomerene	Stanley
Caraway	Kellogg	Ransdell	Swanson
Cummins	Kendrick	Rawson	Underwood
Dial	King	Robinson	Watson, Ga.
Harris	La Follette	Sheppard	Williams
Harrison	Lenroot	Simmons	
Heflin	Pittman	Smith	

#### NAYS—35.

Brandegge	Hale	Moses	Shortridge
Broussard	Jones, Wash.	Nelson	Smoot
Bursum	Keyes	New	Spencer
Cameron	Ladd	Newberry	Sterling
Capper	Lodge	Norris	Townsend
Colt	McCumber	Oddie	Wadsworth
Curtis	McKinley	Pepper	Warren
France	McLean	Philpps	Watson, Ind.
Gooding	McNary	Polindexter	

#### NOT VOTING—35.

Ashurst	Ernst	McCormick	Shields
Ball	Fernald	McKellar	Stanfield
Calder	Fletcher	Myers	Sutherland
Crow	Frelinghuysen	Nicholson	Trammell
Culberson	Gerry	Norbeck	Walsh, Mass.
Dillingham	Glass	Overman	Walsh, Mont.
du Pont	Harrell	Owen	Weller
Edge	Hitchcock	Page	Willis
Elkins	Johnson	Reed	

So Mr. ROBINSON's amendment to Mr. McCUMBER's amendment was rejected.

The VICE PRESIDENT. The question recurs on the amendment of the Senator from North Dakota [Mr. McCUMBER].

The amendment was agreed to.

The VICE PRESIDENT. The next amendment proposed by the Senator from North Dakota will be stated.

The ASSISTANT SECRETARY. On page 33, line 14, after the word "ton," where it occurs at the end of the line, it is proposed to insert the words "other cement not specially provided for, 20 per cent ad valorem."

Mr. SIMMONS. Mr. President, I do not understand on what page that amendment is to come in.

Mr. McCUMBER. I can explain it, if the Senator will allow me. We have just stricken out paragraph 203, which embraced not only Portland cement but the other cement put up in packages, for which we have already agreed upon a 20 per cent ad valorem duty. That action necessitates this clause being put in at some other place; so I am asking that it be put in at the end of paragraph 205. The words are just the same as those we have already agreed to.

Mr. SIMMONS. I have no objection to that.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from North Dakota.

Mr. POMERENE. Mr. President, do I understand that this imposes a duty of 20 per cent on all other cement?

Mr. McCUMBER. It places a duty of 20 per cent upon patent cements which come in zinc tubes, and so forth.

Mr. SIMMONS. We have already voted on it, and it is merely desired to transpose the committee amendment.



Mr. POMERENE. Very well.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LENROOT. Mr. President, I understand that we shall very shortly take a recess, and I simply wish to take a moment in acquainting the Senate with the present status of the pending bill, because probably very few Senators have taken the trouble to ascertain what progress we are making upon the bill.

Night before last I took the trouble to ascertain how many committee amendments had been acted upon by the Senate. There are 2,087 committee amendments to the bill. Night before last when we took a recess we had acted upon 196 of them; to-day I believe we have acted upon 4 amendments, making 200 committee amendments thus far acted upon out of a total of 2,087. We are now upon the seventh week of the actual consideration of the bill. If we shall make the same progress as we have during the past 7 weeks, this bill will pass the Senate, if none but committee amendments are considered, in 57 weeks. Of course, at this rate of progress the bill must fall on the 4th day of next March.

Senators across the aisle are insisting that they are indulging in nothing but legitimate debate. If that be true, and if we have had nothing but legitimate debate so far, there is no hope, under the present rules of the Senate, of passing this bill before the 4th of next March. That is the only statement that I care to make at this time.

Mr. ROBINSON. Mr. President, the statement just submitted by the Senator from Wisconsin is interesting, but, considering the facts surrounding the history of this bill since it reached the Senate, it does not seem to me to be of very great importance.

In the first place, it is extraordinary, without precedent, that to any bill a committee of either House of Congress should report 2,087 amendments. Why the Finance Committee saw fit, after a prolonged consideration of this measure in what amounted to executive sessions, to report 2,087 amendments remains to be explained.

In so far as the statement of the Senator from Wisconsin is concerned that the bill will not pass until the expiration of 57 weeks, I desire to say that unless the committee pursues in an intense degree the practice that it has adopted within the last few days, namely, of receding from or revising the important amendments which it has proposed to the House provisions, it would be better for the United States if it were 57 years before this bill were passed.

The Senator from Wisconsin referred to the declarations frequently made in the course of the debate upon this side that no filibuster is being conducted. Every Senator here knows that that is true. Every Senator in the Chamber knows that during the last week the other side has consumed more time than this side of the Chamber has consumed. Every Senator in the Chamber knows that speeches made about irrelevant subjects have been made from the other side of the Chamber oftener during the last week than from this side. In addition to that, another bill was injected on yesterday which consumed a day of the Senate's time. It was one of the most important of the department appropriation bills and carried many amendments. We passed this measure, the War Department bill, in a single day. This shows there is no filibuster.

Now, if the Finance Committee will do what it seems disposed to do, take this bill back into committee and revise it before the debate compels them to do so, they will save the Senate a great deal of time and the committee humiliation. So far as I recall, there has not been an important amendment considered by the Senate during the present week but what, after the debate on the amendment has proceeded at great length, the committee has withdrawn it and proposed another as a substitute for it. If the committee wants in good faith to pass this bill, they should take it back and revise these excessively high rates before the debate occurs in the Senate. This would take much less time to dispose of the bill.

The course which we have pursued here has resulted in great benefit to the country. The debates have informed the public. There is not a great Republican newspaper of which I know in the United States that indorses this measure. From limit to limit of the Nation, by every class of citizens familiar with the provisions of the bill, it is regarded as a legislative monstrosity, justified neither in economic experience nor in political theory. There is no sound basis for it. It discredits every principle of honest protection; it fortifies and entrenches monopoly; it justifies extortion and perpetuates unfair price control over the commodities which are most commonly and generally used.

Mr. STANLEY. Mr. President—

Mr. ROBINSON. I yield to the Senator from Kentucky.

Mr. STANLEY. The Senator from Arkansas has overlooked one thing. The bill may be intended to carry out the platform pledge "to reduce the high cost of living."

Mr. ROBINSON. Oh, Mr. President, the authors of this bill are ashamed of it. I violate no confidence when I assert that the Senators who manage the bill on the floor of the Senate, as evidenced by their conduct and their expressions, take no pride in it. They admit that this is an inopportune time to attempt to revise the tariff; they admit, if I understand them correctly, that the bill is not based upon any theory of protection heretofore recognized or advanced. It is a hodgepodge, a miserable compound, made by throwing together whatever may seem necessary to please the selfish interests that are dictating it.

Mr. SIMMONS. I want to suggest to the Senator that the reason we can not discuss this bill as a general proposition is because it is not based upon any principle of tariff, either of protection, free trade, or moderate tariff. It is therefore necessary for us to discuss each item of the bill in order to show what it is.

Mr. ROBINSON. That is true. The only rule followed is "give everyone what he asks." The debates show that the important items of the bill have been dictated by the interests which it is designed to benefit. Little consideration has been given to the general interests of the public. Therefore I characterize it as an unwholesome mixture the constituent elements of which when taken separately are palatable and sweet smelling, but when combined in the compound are obnoxious and repulsive to everyone. I repeat that with the possible exception of the Senator from Idaho [Mr. GOODING], who, it seems to me, stands in a distinct class to himself, this bill as a whole—I mean as reported by the Finance Committee—has no approval in the Senate, and is repudiated contemptuously in the Republican press of the Nation.

Oh, no; it will not take 57 weeks to dispose of this bill. The Finance Committee will either take back the important schedules and revise them before the debates, or they will revise them after the debates. If they take the first course, they will save time; but if the sentiment against this bill which has been gathering volume from the very day it was reported by the Finance Committee continues to grow among sincere Republicans and honest people generally throughout the United States, you yourselves will be glad of an excuse to "defer" its consideration, which, of course, means its death.

This business of talking in the Senate is not and can not be made a one-sided privilege. When you bring 2,087 amendments into the Senate on a bill it is the privilege of Members to discuss those amendments. It is the duty of Senators to give the public information concerning them; and the result of that course, which has been in good faith pursued by this side of the Chamber during the debate on this bill, has been to render your efforts obnoxious, to make the measure distasteful. I doubt now whether you are very anxious to pass this bill. I doubt whether you will want to enact it when you understand what it means and what it does. If you do want to pass it, you can do so in spite of the fact that its provisions are shown to be detrimental to the public interests, to the interests which we ought to conserve; but you can not intimidate anyone into yielding the just ground that we ought to understand what we are voting on, ought to vote intelligently, and give an explanation of the measure to the public. If the people can be made to realize how bad the Finance Committee's bill really is, they will oppose its passage, and you will not dare defy them.

Mr. McCUMBER. Mr. President, I had supposed that we desired to take a recess at half past 5 this evening, and therefore I am not going to take any time now to answer the argument of the Senator from Arkansas [Mr. ROBINSON]. Possibly before we get through we will see what is back of the papers that are railing against this tariff bill. I will say to the Senator most candidly that I do not believe the committee is going to be stampeded by anything which comes from a press that represents a propaganda that is making from a thousand to three thousand per cent upon its imports, and that possibly will be presented to the American people before we get through.

The Senator from Arkansas has suggested that we are not in a hurry to have a vote upon this bill. All I can say in reply thereto is, just give us a chance, and that will be the best evidence as to whether we desire to have a vote at the earliest possible time or not. Amendments undoubtedly will be suggested from time to time by the committee as additional testimony or conditions in the trade which are shown to us convince us that there ought to be changes; but in every instance I am certain that the committee will recommend a protective tariff bill.

Mr. President, I now ask unanimous consent that when we close our session to-day we shall take a recess until Monday at 11 o'clock.

The VICE PRESIDENT. Without objection, it is so ordered.

#### EXECUTIVE SESSION.

Mr. McCUMBER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive session, the doors were reopened, and (at 5 o'clock and 40 minutes p. m.) the Senate, under the order previously made, took a recess until Monday, June 5, 1922, at 11 o'clock a. m.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate June 3, (legislative day of April 20, 1922).*

##### ASSISTANT REGISTER OF THE TREASURY.

Frank A. DeGroot to be Assistant Register of the Treasury.

##### PROMOTIONS IN THE COAST GUARD SERVICE.

###### To be ensigns.

Albert M. Martinson.	Lee H. Baker.
Raymond J. Mauerman.	George E. McCabe.
Edward H. Fritzsche.	Harley E. Grogan.
Robert C. Jewell.	

###### To be ensigns (engineering).

Martin J. Bergen.  
Howard A. Snyder.

##### POSTMASTERS. CALIFORNIA.

Herman C. Lewis, Artesia.  
John L. Childs, Crescent City.  
Francis C. Harvey, Rivera.  
Jennie Kinney, San Quentin.  
Cynthia P. Griffith, Wheatland.

##### GEORGIA.

Philetus D. Wootten, Abbeville.

##### HAWAII.

Carl Spillner, Makaweli.  
Jacintho S. Medeiros, Puunene.

##### INDIANA.

William J. DeVerter, Cayuga.

##### MISSISSIPPI.

Alabama Akers, Iuka.

##### NEW MEXICO.

Harran H. DeLozier, Texico.

##### NEW YORK.

Seward Latham, Central Bridge.  
Frank S. Duncan, Lawrence.  
Violet Breen, Roslyn Heights.

##### NORTH CAROLINA.

Roscoe C. Jones, Manteo.

##### OHIO.

Cleona M. Dunnick, Ashville.  
Joseph E. W. Greene, Newport.  
Jullus R. Bruns, St. Henry.

##### WEST VIRGINIA.

Charles J. Parsons, Sabraton.

### HOUSE OF REPRESENTATIVES.

SATURDAY, June 3, 1922.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Spera Montgomery, D. D., offered the following prayer:

O Lord, our Lord, we are drawn toward Thy throne, which is established forever and ever. It is our defense and the rock of our redemption. How much we need a sense of Thy nearness, for we are humanly weak in the things which are so divinely strong. O guide us in all our ways. As for the difficulties and labors of life, let them chasten our hearts and broaden our minds. Grant that every morning may bring us the light of hope, and every evening the shade of rest. In the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### WATER RIGHTS ON CROW RESERVATION, MONT.

Mr. SNYDER. Mr. Speaker, I desire to call up from the Speaker's table House bill 9344, and move that the House agree to the Senate amendments to the bill.

The SPEAKER. The gentleman from New York calls up from the Speaker's table a House bill with Senate amendments. The Clerk will report the bill by title.

The Clerk read the title of the bill (H. R. 9344) providing for the appropriation of funds for acquiring additional water rights for Indians on the Crow Reservation in Montana whose lands are irrigable under the Two Leggins Irrigation Canal.

The Senate amendments were read.

Mr. GARNER. Mr. Speaker, will the gentleman yield for a question?

Mr. SNYDER. Yes.

Mr. GARNER. In order to ascertain whether it is necessary to make the point of no quorum or not, has the gentleman advised with the ranking minority member of the committee concerning this amendment?

Mr. SNYDER. Yes; I have.

Mr. GARNER. And it is agreeable to him?

Mr. SNYDER. It is agreeable to him. I also spoke to the gentleman from Tennessee [Mr. GARRETT] about this matter last evening.

The amendment which the Senate put into this bill was exactly the thing that the committee unanimously reported to the House, and the discussion here in the House was as to whether we would fix the amount at \$12.50 per acre plus interest for a certain period or whether we would make the amount \$20 as a maximum, and give the Secretary of the Interior the same discretion that he has had heretofore on all other leases of this character. Upon a careful investigation, going into the matter further with the department, I find there is very little difference between what we desired to do and what the department and the Senate desire to do, so that I am asking this morning that the Senate amendment be agreed to.

That is all I desire to say.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

#### THE NAVAL ESTABLISHMENT.

Mr. BUTLER. Mr. Speaker, I move that the House resolve itself into the Committee on the Whole House on the state of the Union for the further consideration of the bill (H. R. 7864) providing for sundry matters affecting the Naval Establishment. This bill has been debated all the way through and amended by the committee, with the exception of one amendment offered by the gentleman from Kansas [Mr. TINCHER], to which I will agree.

The SPEAKER. The gentleman from Pennsylvania moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of a bill which the Clerk will report.

The Clerk read the title of the bill (H. R. 7864) providing for sundry matters affecting the Naval Establishment.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill, with Mr. MADDEN in the chair.

Mr. BUTLER. Mr. Chairman, while I am not going to oppose the amendment offered by the gentleman from Kansas [Mr. TINCHER] I will ask unanimous consent for three minutes to explain the existing situation.

The CHAIRMAN. The Clerk will first report the amendment referred to by the gentleman from Pennsylvania.

Mr. BUTLER. It is to strike out section 10 of the bill.

The Clerk read as follows:

Amendment offered by Mr. TINCHER: Page 11, line 12, strike out all of section 10.

Mr. BUTLER. Mr. Chairman, I will accept the amendment. I think perhaps within the next few months shipbuilding like other construction will not cost as much as it has cost heretofore. Therefore I will accept the motion made by the gentleman from Kansas [Mr. TINCHER] and agree that section 10 shall be stricken from the bill.

The CHAIRMAN. The question is on the amendment of the gentleman from Kansas [Mr. TINCHER].

The question was taken.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. STEENERSON. I should like to know if the gentleman from Pennsylvania and the gentleman from Kansas have entire